

# Hawaiian Gazette.

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WHOLE NO. 1799.

## Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

W. R. FARRINGTON, EDITOR.

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Price 75 Cents.

For sale in Honolulu by all book and  
news dealers.

In New York city a large proportion  
of the people live, work and go to the  
theatre at a height of 100 feet in the  
air, and this number is decidedly on the  
increase.

## EVERY NATION WANTS COMPANY.

No One Dares Tackle Turkey  
Single Handed.

### FAKE TALK OF TRIPLE ALLIANCE

Armenian Massacres Continue—Russia Gets  
Control of Corea—Fighting in Cuba—Lead-  
ville Strike Quieting Down—Tupper Scores  
Governor-General—News from Foreign Lands

LONDON, Sept. 21.—The St. James Ga-  
zette this afternoon publishes a dispatch  
from Milan, Italy, that the Secol says the  
departure of the Italian flying squadron  
for the Levant is the initial step toward  
forcing Turkey to grant the reforms de-  
manded in the case of the Armenians,  
and it is taken by Italy, supported by the  
United States and Great Britain.

Secol adds that in the event of the Sul-  
tan's refusal to grant the reforms he will  
be deposed.

A dispatch from Rome to the St. James  
Gazette says the Roma states that the  
Italian ships will co-operate with those  
of Great Britain and the United States.

### DENIED AT WASHINGTON.

United States Will Not Meddle With  
European Affairs.

WASHINGTON, Sept. 21.—From time to  
time rumors have come from European  
sources to the effect that the Government  
of the United States has signified an in-  
tention of co-operating with one or more  
of the great powers, those last mentioned  
being Great Britain and Italy, to enforce  
reforms in the Turkish empire and pre-  
vent further attacks upon the Armenian  
Christians.

To support these stories a perfectly  
routine movement of two of our cruisers  
has been twisted into an intended hostile  
demonstration. It can now be authori-  
tatively stated that it is not contemplated  
nor has it been, that our Government in  
the slightest degree should depart from  
its time honored custom of refraining  
from intervention in European affairs  
further than is necessary to protect Amer-  
ican citizens, and even in protecting our  
citizens any action taken will be abso-  
lutely independent of any other power.  
As was the case in the Brazilian rebel-  
lion, the United States has maintained a  
sufficient naval force near where Ameri-  
cans reside in number to assure their  
safety, but with the political aspect of  
this or any other question there will be  
no intervention by our Government.

### STORY OF CUBAN ENGAGEMENT.

Big Fight and Good Yarn That May  
Soon be Disputed.

HAVANA, Sept. 21.—Late reports give  
official details of a serious engagement  
in Havana province yesterday on a large  
estate near Calabazar. A small Govern-  
ment column, composed of Havana vol-  
unteers, members of the Engineers' Corps  
and cavalry men of the line, is alleged to  
have been attacked by 500 insurgents,  
commanded by Castillo and Delgado, who  
repeatedly attempted to surround and  
overwhelm the royal forces. The Spanish  
made a gallant defense, tenaciously hold-  
ing their ground and repelling successive  
rebel attacks. The Spanish column was  
reinforced by volunteers who had been  
hurriedly called from Arroyo Naranjo  
and other nearby points. When these  
arrived, by a brilliant Spanish counter-  
charge, the rebels were ultimately routed  
and driven from the field.  
The enemy's loss is estimated at 100  
killed and 200 wounded. All the rebels  
abandoned their dead. The Government  
losses were twenty-nine volunteers killed  
and three wounded, and two cavalry men  
killed and two wounded. It is reported  
that both Castillo and Delgado were  
wounded in the engagement, the former  
seriously, the latter slightly.

### BISMARCK'S LETTER.

Regarded by Democratic Leaders as of  
Great Campaign Importance.

CHICAGO, Ill., Sept. 21.—The Demo-  
cratic National Committee regards the  
letter of Prince Bismarck, favoring bi-  
metallism, as a step toward an interna-  
tional agreement, and the cablegram sent  
to Mr. Bryan by the International Argu-  
ment Congress at Budapest is marked  
the first genuine political sensation  
of the campaign in favor of free silver  
coinage. Members of the committee at  
Chicago headquarters today said that  
these documents silenced the platform  
and declarations of the Republicans on  
the point that the United States alone  
could not change the monetary system  
of the world, and that the present agi-  
tation would be detrimental to interna-  
tional bimetalism. The committee de-  
cided to have these declarations translated  
into several languages, especially German,  
and distribute several millions.

Governor Altgeld's Saturday speech in  
reply to Cockran and Schurz is regarded  
by Chairman Jones as one of the ablest  
expositions of the silver cause that has  
been delivered during the campaign, and  
the demand for it will be met by the  
printing of it in German and English for  
wide distribution.

### JAPAN AND RUSSIA.

Said to Have Joint Protectorate Over  
Corea.

LONDON, Sept. 21.—The Times ex-  
presses the belief that Russia and Japan  
have agreed to a joint protectorate in  
Corea, Russia virtually taking the position  
there that China held before the war. The  
King of Corea will quit the Russian Legation,  
where he has been since the assas-  
sination of the pro-Japanese Ministers,  
and will return in triumph to the palace.  
This arrangement, the Times asserts, will  
be carried out simultaneously with Japan's  
evacuation of Corea.

The Times editorially regards the fore-  
going arrangements as a great diplomatic  
victory for Russia, who, says the Times,  
thereby virtually obtains an ascendancy  
in Korean affairs, leaving Japan with only  
a nominal share in the control, with the  
bare satisfaction of saving appearances.

and of gaining time for a final solution  
in the future. Japan has missed one of  
the main objects of her ambition by im-  
pudence and by an incapacity to deal  
with the situation.

### MILITIA IN CONTROL.

Leadville Troubles Quiet Down Before  
Armed Forces.

LEADVILLE (Col.), Sept. 21.—To-night  
Leadville is a vast sea of light as a re-  
sult of the dealing out of death and de-  
struction with ruthless hands by dynamite  
on the part of the strikers this morn-  
ing. The dynamite camp for the past  
three months has been as a volcano, and  
this morning at 1 o'clock, exactly  
three months to an hour from the time  
the strike was inaugurated, riot and mur-  
der and mob law ruled the town, when  
some one hurled the firebrand that de-  
stroyed the Coronado building and stock-  
ade.

There seems no doubt at midnight but  
that a tremendous conspiracy was on foot  
to destroy mining property worth  
millions of dollars, regardless of the life  
sacrificed, and the plot would have car-  
ried had it not been that men of all  
classes seized rifles and shotguns and rushed  
through the night to back the small  
company of militia that set out to protect  
the firemen at their work.

### CAPTURE IS COMPLETE.

Sir Herbert Kitchener Reports Upon  
His Dongola Work.

CAIRO, Sept. 21.—Sir Herbert Kitchener  
telegraphed today that the gunboats of  
the British expedition to Dongola returned  
to Kerna yesterday afternoon. That  
they had taken a few Dervishes at  
Dongola, who fled when fire was opened  
on them. A party landed from the gun-  
boats and ascertained that only women  
and old men were left in the camp. No  
further trace of the enemy was seen on  
the return journey. The gunboats cap-  
tured several boats, one of which con-  
tained the Dervishes' treasury records  
and money.

Sir Herbert Kitchener sent to Wad-  
Bishara, the de facto ruler of Dongola,  
a message calling on him to surrender  
and offering a pardon to himself and  
his followers.

### DISCORD IN BRAZIL.

Trouble Over the Claims That Have  
Been Made by Italy.

BUENOS AYRES, Sept. 21.—The Her-  
ald's correspondent in Rio de Janeiro, Bra-  
zil, telegraphs that the police have received  
orders to take extraordinary precau-  
tions to protect the disembarkation of  
Special Commissioner Signor de Martino,  
appointed by the Italian Government to  
investigate outrages suffered by Italian  
colonists in Brazil. The Government will  
promptly suppress demonstrations of  
whatever character.

Jacobins' threats held secret meetings,  
at which resolutions were adopted urging  
organization and energetic agitation in  
all parts of the country against the re-  
gime of President Moraes and in op-  
position to the granting of the Italian claim.  
A portion of the Brazilian press urges  
President Moraes not to consider the  
claims of Italy.

### MORE MURDER.

Armenians Attacked by Kurds and  
Towns Pillaged.

CONSTANTINOPLE, Sept. 21.—Details  
are received of the massacre at Ekin,  
Harput, and show that on the 14th and  
15th of the present month the Kurds at-  
tacked the Armenian quarters, killing a  
large number of the inhabitants and pil-  
laging and burning houses. Many Ar-  
menians escaped to the mountains.  
According to the accounts of the Turk-  
ish Government, 600 Armenians were kil-  
led and 1,000 wounded. The Kurds state  
that the outrage was provoked by the Ar-  
menians firing into the Turkish quarters.  
No authentic details have yet been received.  
The Armenians escaped to the mountains,  
sacred in 1895 by purchasing immunity  
with money and produce. It is feared  
here that the massacre is the beginning  
of a fresh series of massacres in Armenia.

### MORE MISTAKEN POLICE.

United States Official Arrested While  
In Switzerland.

LONDON, Sept. 21.—A special from  
Bern, Switzerland, says that George F.  
Curtis, assistant librarian of Congress  
of the United States, residing in Wash-  
ington, D. C., was arrested by two detectives  
at a hotel in Grindelwald, thirty-five miles  
from this city, thrown into jail at Inter-  
laken and searched. All his papers and  
papers were seized and his baggage ran-  
sacked. After the director of police ar-  
rived at Interlaken from Bern Curtis was  
released. It appears that the outrage was  
the result of police stupidity, Curtis being  
mistaken for a criminal wanted by the  
Swiss police. Curtis has lodged a com-  
plaint with the Swiss Consul, who is  
making a thorough investigation.

### HUNDRED TURKS KILLED.

Result of a Battle With Macedonian  
Rebels.

LONDON, Sept. 21.—A dispatch from  
Athens to the Daily Telegraph says that  
100 insurgents have defeated a battalion  
of Turkish troops near Grovno, in Ma-  
cedonia, and that 100 Turks were killed,  
the rest being completely routed.

### Judge Denman Dead.

LONDON, Sept. 21.—The Right Hon-  
orable George Denman, formerly a judge of  
the High Court of Justice, but who retired  
from the bench in October, 1892, is dead,  
aged 78 years. After his retirement he  
became a privy councillor and a member of the judiciary  
committee of the privy council.

### Sir Charles Tupper Talks.

OTTAWA, Ont., Sept. 21.—In the House  
of Commons tonight Sir Charles Tupper  
made an attack upon the Governor-Gen-  
eral for not accepting his advice regard-  
ing appointments and other public busi-  
ness, and in this way compelling him and  
his colleagues to resign. The speaker called  
Sir Charles to order for accusing the  
Governor-General of partisanship.

### McKinley's Quiet Day.

CANTON, Ohio, Sept. 21.—Major Mc-  
Kinley passed a quiet day. Though there  
were a large number of individuals call-  
ing, no organized delegations came to  
see him. He passed the whole day in his  
library.

### Property to Be Confiscated.

MADRID, Sept. 21.—A dispatch from  
Manila, Philippine Islands, says Gov-  
ernor General Blanco has decreed the con-  
fiscation of the property of the insurgents  
in those islands.

The severest outbreaks of smallpox  
in England this century were those of  
1825, 1837, 1852, 1858, 1863-4-5, 1871-2  
(very severe), 1877, and 1881.

## WHAT IT COSTS TO BE A PRESIDENT.

McKinley or Bryan Can Live Well  
and Save Money.

### WHAT ONE MAN MAY EARN.

Entertaining at the White House—How Differ-  
ent Presidents Have Lived—Some Officials  
Have Grown Rich—Water Flows Like Wine.  
Perquisites to Congressman Wm. J. Bryan.

WASHINGTON, Sept. 21.—Candidate  
Bryan if he is elected to the Presidency  
may set the example of turning back into  
the Treasury a part of the \$50,000 salary  
which Congress gives the President.

Theodore Roosevelt says one of Mr. Bryan's  
friends told him in Mr. Bryan's  
presence that he thought no man could  
earn \$5,000 a year—that if he received  
more than about \$1,500 a year, he was  
by the excess dishonestly. Mr. Bryan  
drew his \$3,000 a year regularly while he  
was a member of Congress and the re-  
cords do not show that he neglected any  
of the perquisites of his office, such as  
mileage, stationery, etc. It must be re-  
membered that mileage always exceeds

less than \$25,000 a year in the practice  
of law and the pursuit of literary work.  
Arthur retired from the White House  
with a comfortable fortune, though he  
entered it a poor man. Still Arthur  
spent money more lavishly than most of  
the Presidents, for he had extravagant  
habits which had always kept him poor.

Mr. Garfield died poor because he was in  
office a very short time and the expenses  
of his last illness were very great. Hayes  
took fully \$100,000 to Fremont with him at  
the end of his term and he was a gener-  
ous entertainer while he was in the White  
House, though Mrs. Hayes' insistence  
that no wine should be served there  
gained for him a reputation as penur-  
ious. "Water flowed like wine at the  
White House receptions," is a phrase  
you will hear very often at the White  
House receptions of today. Grant was  
in the White House eight years, but dur-  
ing the first four years of that time he  
received only \$25,000 a year. He saved  
enough of his salary to have kept him-  
comfortably if he had not risked his  
little fortune in the firm of Grant &  
Ward. Andy Johnson did not save much  
of his salary, and Abraham Lincoln died  
so poor that his widow had to write to  
Congress to ask, for a pension, and mean-  
time she sold her laces to raise money  
for her living expenses.

It costs the country \$250,000 a year to  
maintain the executive establishment.  
In Washington's day the expenses were  
not \$100,000. The President had no private  
secretary and only one or two clerks as-  
signed to his service from their places in  
the executive departments.

GEORGE GRANTHAM BAIN.

BUCKNER IN NEW YORK.

Kentucky General Says His State Will  
Go Against Bryan.

NEW YORK, N. Y., Sept. 21.—General  
Buckner, the National Democratic  
candidate for Vice-President, arrived  
at the Fifth-avenue Hotel this after-  
noon accompanied by Henry Watkins,  
Graham Vreeland and Morris B. Belk-  
nap. Colonel John R. Fellows was also  
with them.

General Buckner was reluctant to  
talk about political affairs. "I have  
no fixed plans," he said, "and am en-  
tirely in the hands of the National  
Committee."  
"How will Kentucky go?" he was  
asked.  
"Kentucky will go against Bryan,"  
he replied.  
"Does that imply that the State will  
go for McKinley?"  
"I am working for my own ticket  
and Kentucky will go against Bryan,"  
was all the General would say.

General Buckner will leave tomorrow  
night after the Madison-square Garden  
ratification meeting for Richmond.

MR. HILL WILL CONTROL.

New York Democrats In Hands of Gold  
Advocates.

NEW YORK, Sept. 21.—The meeting  
of the Democratic State Committee, called  
for tomorrow night, is causing much dis-  
cussion and speculation tonight. Chair-  
man Danforth said today that this meet-  
ing would simply be to elect a successor  
to W. F. Sheehan as National Commit-  
teeman and to attend to the details of  
the campaign.

It is rumored, however, that Senator  
Coffey of Kings county will voice the sen-  
timents of the silver men on the ticket  
and ask the committee to use the power  
delegated to it by the State convention  
and name a new candidate for Governor.  
John Boyd Thatcher has not yet declined  
or accepted it, but it is understood he will  
act in the matter as the committee de-  
sires. It is because of this serious situa-  
tion that Senator Hill is expected in the  
city tomorrow to take charge of the af-  
fairs and watch the meeting. It is gen-  
erally believed that the State organiza-  
tion represented by Mr. Hill and Mr.  
Sheehan holds a majority of the commit-  
tee in its grasp, and therefore that the  
silverites will be defeated.

SAVED MONEY BEFORE HE MAR-  
RIED.

In his first term, in the year before  
his marriage, he spent very little. He  
did some official entertaining, but alto-  
gether he did not spend more than \$30,000,  
and probably not more than \$15,000 of his  
\$50,000 salary. The fact is, he could not.  
The Government pays so many of the  
living expenses of a President that he  
would have a hard time spending \$10,000  
a year if he did not have some official  
dinner-giving to do. Even the cost of  
the little reception of the Earl Li Hung  
Chang was paid by the Government.

Congress supplies to the President all  
the office force he needs. This force of  
clerks transacts not only the official, but  
the personal business of both the Presi-  
dent and his wife. One of the White  
House clerks acts as Mrs. Cleveland's  
private secretary. The steward of the  
White House is under official salary. He

has charge of the property of the Govern-  
ment in the Executive Mansion and gives  
a bond for its safety. The ushers are  
Government officials, and so are the  
laborers about the grounds. The Presi-  
dent's "valet"—for the President, like the  
Hon. Henry Clay Miner, has a valet—  
is paid by the Government. In fact, of  
the working force in the White House  
only a few of the maids and the Presi-  
dent's chef help to consume the Presi-  
dent's salary. The President pays for the  
food and wine put on his table,  
whether for personal or official use.

That is, the President pays the expenses  
of his own table and pays the cost of  
the official entertainments he gives. But  
of these entertainments only the State  
dinners are at all costly. None of the  
receptions given by the President nowa-  
days are "feeding" affairs. President  
Arthur had refreshments for his guests  
and so did President Hayes. But Cleve-  
land and Harrison gave no entertain-  
ments where refreshments were served,  
except private entertainments to a very  
limited company or the State dinners,  
given at intervals of a week through the  
winter season.

HARRISON HAS A FEW, TOO.

President Harrison is considered a rich  
man in Indianapolis. He saved about  
\$100,000 of his salary and he makes not

## MEETING OF THE HEAD EDUCATORS.

Some Important Business At-  
tended to Yesterday.

### TWO APPLICATIONS WERE TABLED

Reforms at the Reform School—Manual De-  
partment—Suggestions by Mr. Dumas.  
One School Closed—Some Changes Nec-  
essary in Graded Schools—Work to go on.

There were present at the Board of  
Education meeting yesterday afternoon  
Minister Cooper, Prof. Alexander, Mrs.  
Dillingham, Mrs. Jordan, J. F. Scott  
and C. T. Rodgers, secretary.

The minutes of the previous meeting  
were read and approved.

Prof. Alexander reported that he had  
conferred with Mr. Holmes of the  
Bishop estate, who said that he would  
send a letter to the Board authorizing  
Mr. Paris, the school agent, who was  
their agent in Kona, to allow him to  
select a site for the new Hanalei  
school house. He also reported that he  
had agreed with Mr. Dillingham for a  
lot at Pearl City, fronting on Third  
street, of an acre and a half, where a  
suitable building could be constructed  
for that district.

J. F. Scott showed a book of blank  
forms for teachers' certificates, and he  
recommended that it be adopted, which  
was moved and carried.

A request of J. Smith of Koloa, Ka-  
nai, to lease a lot which belonged to  
the Board, and was not in use at present,  
was refused, as the Board may  
need it soon.

Minister Cooper had made inquiries  
about starting some industrial work  
at the reform school, and found it  
could be accomplished easily. The Ex-  
ecutive also was in favor of an indus-  
trial branch, and recommended that  
\$500 be expended in making the ar-  
rangements complete.

The matter of those who were delin-  
quent in payment for their tuition at  
the Emma Street school was brought  
up. Minister Cooper thought that all  
such persons should be sent to Arm-  
strong Smith's school. In the discus-  
sion which followed, the fact was  
brought out that there was some feel-  
ing that there ought to be two schools  
of the same high grade and competent  
teachers, but one should be a little  
more select than the other. The grades  
in Mr. Smith's school now correspond  
with about seventh grade in the High  
School. Mr. Scott was instructed to ob-  
tain a complete list of all the pupils in  
both schools, and state which ones are  
paying pupils.

Freitas, the young boy at the reform  
school, was ordered to be released, as  
there was really nothing at all criminal  
in the lad.

Mr. Dumas asked permission of the  
Board, which was granted, to explain  
to them a few things in connection  
with the Practice School. He had three  
recommendations to make: First, that  
boys and girls should be allowed to at-  
tend, as it would give the young  
teachers a better opportunity of learn-  
ing how to manage a class when they  
come to teach in the public schools;  
second, that there would be two grades  
in each of the two rooms, consisting of  
an entrance class, First reader, begin-  
ning Second reader and ending Third  
reader.

In this way it will be harder on the  
regular teachers, but will give more  
practice for the student teachers, and  
they will have fewer pupils to attend  
to during the recitations. No person  
commencing to teach should have more  
than twenty-four pupils at a time.

Third, that the buildings should be  
fenced in and kept separate from the  
rest of the buildings on the ground.

The pupils for this school are to be  
obtained from the primary grades of  
the other schools. It will be a difficult  
matter in some cases; if they take from  
the Royal School they will have to  
have the teachers take a higher grade  
than the one they are now teaching.

Mr. Scott was authorized to obtain  
an estimate of the cost of putting up  
the fences.

An application from Mr. Barton and  
one from C. H. White for the position  
of assistant at the reformatory school  
were tabled.

Mr. Meyer was authorized to close  
one school on Molokai until a suitable  
teacher could be found.

Mr. Swain of Hanalei was given a  
raise to \$50 a month in his salary.



# IN THE SUPREME COURT OF THE HAWAIIAN ISLANDS.

THOMAS R. MOSSMAN v. THE HAWAIIAN GOVERNMENT.

QUESTIONS RESERVED BY THE CIRCUIT COURT, FIRST CIRCUIT.

SUBMITTED APRIL 29, 1896. DECIDED SEPTEMBER 24, 1896.

FREAR AND WHITING, JJ., AND CIRCUIT JUDGE CARTER, IN PLACE OF JUDD, C.J., DISQUALIFIED.

An adjudication of a question of descent in probate proceedings for distribution of personal estate is not conclusive upon that question in an action of ejectment for real estate as to one who was not a party or in privity with a party to the probate proceedings. *Keahi v. Bishop*, 3 Haw. 546, distinguished.

A conveyance by a disseisor to a third party is not void as against the disseisor.

OPINION OF THE COURT, BY FREAR, J.

This is an action of ejectment to recover possession of certain land covered by Land Commission Award 3322 on the north-easterly side of Hotel Street, in Honolulu, the plaintiff claiming title thereto by purchase.

Pleas and replications of considerable length were filed, setting forth the deeds and the records of the former proceedings referred to, but for the purposes of this decision they may be briefly stated in substance as follows:

Pleas. 1. That the plaintiff claims solely under two certain deeds from persons whose only claim of title was by descent from one Charles Kanaina, deceased, intestate, and that in certain proceedings in probate after notice, by publication, and hearing, the property remaining in the possession of the administrator of the estate of said Kanaina was adjudged to be distributed to certain other persons as the heirs of said Kanaina. 2. That in certain partition proceedings after notice, by publication and hearing, the land in question was by order of court sold at auction, and was at such sale purchased by and conveyed to the defendant, all of which was known at the time to the plaintiff's grantors. 3. That the deeds to the plaintiff were made when his grantors were out of possession and the defendant in possession, holding adversely to them, with their knowledge.

Replications. 1. That the decree of distribution was void for want of jurisdiction of the court over the parties, because in one of the two published notices the date of hearing was set forth as September 25, 1882, the appointed and actual day of hearing being September 15, 1882; that, even if the decree were valid, yet the plaintiff's grantors were related to the said Kanaina in the same degree as that claimed by the distributees, and that therefore the plaintiff is entitled to at least a share of the estate, and that the proceedings for distribution were at the time thereof unknown to the plaintiff's grantors. 2. That the plaintiff's grantors were not parties to the partition proceedings, and that the same were at the time thereof unknown to them. 3. That the adverse possession of the defendant was unknown to the plaintiff's grantors at the dates of their conveyances.

To these replications there was a general demurrer.

The case comes here on the reserved question of the sufficiency of the pleas and the demurrer.

The estate to a portion of which the plaintiff claims title in this action, that of Charles Kanaina, father of King Lunalilo, was supposed to have been settled after much litigation during the years 1877-1881. And in view of the extent of that litigation, the length of time that has since elapsed, and the amount of property the title to which may be affected by this decision, as well as the importance of the legal questions involved, and the disputed effect of certain former decisions of this Court on closely related questions, we may be justified in stating the reasons for our conclusions at some length. The pleas, all of which in our opinion are insufficient, will be considered in their order.

In considering the first plea—that of a former adjudication of the question of heirship in certain probate proceedings—we shall assume that the notice by publication in those proceedings was not so defective as to be assailable collaterally in this case. The ground of our decision is that the question of heirship was not in fact adjudicated in those proceedings as to the plaintiff's grantors with reference to the real estate. Those were proceedings on the petition of the administrator of the estate of Charles Kanaina, deceased, for examination and allowance of his accounts, for distribution of the personal property (a sum of money) remaining in his hands, and for his discharge. They in no manner concerned the real estate of the decedent, and the plaintiff's grantors were not parties thereto, and (as must be assumed at this stage of the case) were without knowledge thereof.

The question now raised is whether a finding (of heirship) in the course of one proceeding (for distribution) in respect of one subject (certain personal estate) is conclusive in another proceeding (ejectment) in respect of a different subject (certain real estate) as to one who, though having constructive notice, did not appear in the first proceeding. If the plaintiff's grantors are bound by the finding made in the first proceeding, he also is bound, for he is in privity with them.

The general rule is that a judgment is void as to one entitled to be heard who had no notice, actual or constructive; but if there was notice, then as to the subject of the proceeding the judgment is in every other proceeding conclusive, not only upon every point that was litigated in the first proceeding, but upon every point that might have been litigated; but as to a different subject, the judgment is conclusive only upon points actually contested and adjudicated in the first proceeding. Consequently, if one entitled to be heard appears but puts in only some of his defenses and remains silent as to others, he is in a subsequent proceeding upon the same subject bound as to all his defenses, but in a subsequent proceeding upon a different subject he is bound only as to such defenses as were made and adjudicated in the first proceeding; and if he makes default altogether he is in a subsequent proceeding upon the same subject bound as to all his defenses, but in a subsequent proceeding upon a different subject he is not bound as to any defense. In the present case we assume that the plaintiff's grantors received constructive notice of the proceedings for distribution, but they did not appear or take any part in the litigation, and therefore, although bound by the decree as to the subject of those proceedings—the personal property—upon all points that were or might

have been raised in those proceedings including the question of heirship, they are not bound upon any of them in this action of ejectment upon a different subject matter—the real estate.

These propositions are well settled. The principal case is *Cromwell v. Sac*, 94 U. S. 351; see also *Nesbit v. Riverside Independent Dist.*, 144 U. S. 610; *Watts v. Watts*, 160 Mass. 464; *Jacobson v. Miller*, 41 Mich. 90. In *Watts v. Watts* the Court said: "It would be a harsh and oppressive rule which should make it necessary for one sued on a trifling claim to resist it, and engage in costly litigation in order to prevent the operation of a judgment which would be held conclusively to have established against him every material fact alleged and not denied in the declaration, so as to preclude him from showing the truth if another controversy should arise between the same parties. There might be various reasons why he would prefer to submit to a claim rather than to defend against it. For the purpose of defending that suit he would have his day in court but once, and if he chose to let the case go by default, or with a trial upon some of the defenses which might be made and not upon others, he would be obliged forever after to hold his peace. But a plaintiff can claim no more than to be given what he asks in his writ. He cannot justly complain that the defendant has not seen fit to set up defenses and raise issues for the purpose of enabling him to settle facts for future possible controversies." In *Cromwell v. Sac* the Court said: "Various considerations, other than the actual merits, may govern a party in bringing forward grounds of recovery or defense in one action which may not exist in another action upon a different demand, such as the smallness of the amount or the value of the property in controversy, the difficulty of obtaining the necessary evidence, the expense of the litigation, and his own situation at the time. \* \* \* A judgment by default only admits for the purpose of the action the legality of the demand or claim in suit; it does not make the allegations of the declaration or complaint evidence in an action upon a different claim."

The former judgments considered in the cases above cited were *in personam*, but the reasoning upon which those cases were decided did not rest upon that fact, but would have been equally applicable if the former proceedings had been *in rem*. In proceedings *in rem* more persons may be bound by the final judgment, because in them more persons who may be entitled to be heard may receive actual or constructive notice by seizure or publication than in proceedings *in personam* in which the notice must in general be personal. In either case, however, all persons who had notice, actual or constructive, are in all other proceedings bound as to all questions involved, whether contested or not, so far as the final disposition of the subject matter of the first proceeding is concerned; but so far as those questions themselves are concerned upon which the final judgment was based, they are not bound unless they contested or confessed them. A person may waive his right to the thing claimed without waiving his right to contest for other purposes the grounds upon which the claim is based.

An exception in the application of this rule viewed in the light of the rule requiring mutuality of estoppel is made by some courts which hold certain judgments *in rem* in admiralty conclusive in favor of a stranger as against a party (not, however, in favor of a party as against a stranger, as we are asked to hold in this case) upon the intermediate as well as the final facts adjudicated. This exception may perhaps be accounted for on other grounds than the nature of the proceeding as being *in rem*. If not, it must be regarded as resting on authority alone, and is not to be extended. See *Brighton v. Fayerweather*, 140 Mass. 411; 2 Van Fleet, Form. Adj., Secs. 518, 522; 2 Sm. Ld. Cas. 696-699. It is certain that in respect of probate proceedings, even when in the nature of proceedings *in rem*, the rule, not the exception, has been applied with practical uniformity.

To illustrate, if the determination of a question of relationship or heirship is the direct object of a proceeding *in rem*, the judgment will necessarily be conclusive upon that question in every other proceeding as to all persons whether they appeared in the first proceeding or not. Such seems to have been the case in *Ennis v. Smith*, 14 How. 400, in which decrees of the Courts of Nobility of the governments of Grodno and Kobryn in the Russian province of Lithuania, declaring certain persons to be the next of kin of General Kosciuszko in a proceeding instituted for that purpose were held in other proceedings in the United States to be evidence of heirship as against persons who were not parties to the first proceeding. (See comments on this case in *Shores v. Hooper*, 153 Mass. 234.)

If the relationship or heirship is not the direct subject, but is merely one of the grounds upon which the final judgment disposing of the direct subject is based, as, for instance, if the direct purpose is the appointment of an administrator, and if in order to decide this matter the question of who is next of kin to the deceased is actually litigated and adjudicated, the adjudication will be conclusive upon all who were parties to that proceeding, even in a different proceeding for a different purpose, as, for instance, in a proceeding for distribution; *Caujolle v. Ferrie*, 13 Wall. 465; *Barrs v. Jackson*, 1 Phill. 582 (19 Eng. Ch. 581); *Howell v. Budd*, 91 Cal. 348; or in a proceeding for the settlement of an account; *Garwood v. Garwood*, 29 Cal. 514; or in an action of ejectment; *Blackburne v. Crawford*, 3 Wall. 190; *Kearney v. Denn*, 15 Wall. 51; so if the first proceeding were for distribution and the second in ejectment; *Keahi v. Bishop*, 3 Haw. 546; see 1 Van Fleet, Form. Adj. 68. But as against one who was not a party to the first proceeding there is no such estoppel by the intermediate findings of fact upon which the final judgment was based. *Spencer v. Williams*, L. R. 2 P. & D. 230. In *Blackburne v. Crawford* and *Kearney v. Denn*, *supra*, a question of legitimacy had been determined by the Orphan's Court in a proceeding for the appointment of an administrator; afterwards ejectment was brought by a brother who had been a party to the proceeding for administration and three sisters who had not been parties thereto; the adjudication was held not binding upon the sisters although binding upon the brother. In *Morin v. St. Paul, M. & N. Ry. Co.*, 33 Minn. 176, the adjudication of a question of heirship in respect of certain real estate by a probate court was held not binding in an action of ejectment for other real estate as to persons who had not been parties in the first proceeding. The Court said: "The proceeding in the probate court and the judgment therein were in their nature *in rem*, and may be regarded as concluding all the world as to matters directly adjudicated. And it would seem, too, that in any subsequent proceeding involving the same thing or subject as that before adjudicated upon, and in which conclusive effect is to be given to such former judgment, such effect may be attributed, not only to that which was actually declared and expressly determined by the judgment, but also in respect to

the grounds or facts upon which the judgment proceeds. \* \* \* But it cannot be that, in a case where the former judgment itself is irrelevant to any fact in issue, those not actually parties to the proceeding can be affected in respect to the grounds or facts upon which that judgment may have been based." In *Shores v. Hooper*, 153 Mass. 228, an adjudication of heirship in a probate court in a suit involving only personal property was held not conclusive in a writ of entry for real estate as to persons not parties in the first suit. And although the persons against whom the probate decree was set up were not entitled to be heard in the probate court, the decision was based not so much upon that ground as upon the ground that those persons had not in fact been parties to the former proceedings whether entitled to be or not. Those persons were bound by the final decree disposing of the *res*, although not entitled to be heard, but not by the findings of fact upon which the decree was based. Said the Court: "It is true, that, in order to prevail in her controversy with the administrator, the defendant was compelled to prove that she was the sole heir of Dr. Ellis; but the parties to the present controversy are not the same as those in that litigation, nor is the same property the subject of dispute. It is urged by the defendant that this was in the nature of a decree *in rem*, and established her pedigree as the child of Dr. Ellis, and her status in reference to his estate as against all the world, so that the rights to all property, real or personal, and of all persons, are definitely settled, so far as those rights were dependent upon the question whether the plaintiff is the daughter of Dr. Ellis. \* \* \* But while full effect is given to these decrees in regard to the subject matter with which they deal, it has never that we are aware of been held, even as against those persons who had notice of the proceeding and were entitled to be heard thereon, that in other proceedings the facts involved were to be deemed as conclusively settled thereby."

It is clear therefore that upon the authority of the English and American decisions the plaintiff in this action of ejectment for real estate ought not to be bound by the adjudication of heirship made with reference to the personal property in probate proceedings in which neither he nor his grantors were parties. But it is contended on behalf of the defendant that the rule has become established otherwise in this country by repeated decisions, the leading case being *Keahi v. Bishop*, 3 Haw. 546. That case, however, differed from the case at bar in this that all the parties who were held bound in the action of ejectment by the adjudication of heirship in the probate proceedings had participated or were in privity with persons who had participated in the contest in the probate court. Said the Court: "All the parties plaintiff in this present suit were present or represented (in the former suit), \* \* \* and indeed it is not pretended that they are not in point of fact the *same parties or privies of blood*," and again, Kapepa's relationship "was adjudged in this very court between these parties" \* \* \* and the judgment is conclusive on the matter of Kapepa's relationship, if incidentally questioned by the *same parties* in this case." Thus, the actual decision in *Keahi v. Bishop*, so far as the questions of identity of parties and difference of subjects were concerned, is in entire harmony with the decisions elsewhere but is not an authority controlling the case at bar because not applicable to the facts of this case, for here, as was not the case there, the persons sought to be held were not represented in the former proceedings. And in none of the subsequent cases in which the decision in *Keahi v. Bishop* has been referred to have the facts been similar to those of the present case. See *Pahau v. Keelikolani*, 4 Haw. 295; *Rose v. Smith*, 5 Haw. 377; *Kaunohi v. Nua*, 1b. 381; *Kaunohi v. Rose*, 1b. 382; *Kailiann v. Lunai*, 8 Haw. 508; *George v. Holt*, 9 Haw. 47.

But in the opinion of the majority of the Court in *Keahi v. Bishop*, it was said that "the adjudication of a question of descent or pedigree will be binding not only in the proceedings, in which they take place, but in every other in which the same question is agitated." (pp. 551, 554). This statement taken in its broad sense and without reference to the parties upon whom the adjudication will be binding is a mere *dictum*, for it goes beyond the facts of the case, for in that case only those who were parties or in privity with parties to the first proceeding were held bound in the second proceeding. But taken in the light of the facts of the case and in connection with the accompanying language—"the judgment of a court of concurrent jurisdiction directly upon the point is as a plea, a bar, and the judgment of a court of exclusive jurisdiction is conclusive upon the same matter between the *same parties* coming incidentally in question in another court for a different purpose," "matters, which have been determined by judicial authority, cannot be again drawn into controversy as between the parties or their privies," and "a decree with regard to the personal status of an individual will be equally conclusive with a decision upon a right of property"—the statement is not at variance with the principles above set forth. It could hardly be that the Court intended to ascribe to an adjudication of descent or pedigree a peculiar conclusiveness or to rest the effect of a judgment upon the nature of the question decided without reference to whether the parties were the same, or whether the question was involved directly or collaterally, or whether the jurisdiction was exclusive or concurrent. An adjudication upon a question of descent, precisely as upon any other question, may or may not be conclusive according to the circumstances. As the Court said, it "will be equally conclusive with a decision upon a right of property" but not more so. The statement in its broad sense depending upon the nature of the question merely and without reference to the parties has never that we are aware of been followed. On the contrary in one case, *George v. Holt*, 9 Haw. 47, in which it was relied on in this sense, it was rejected by the Court.

That the statement cannot be taken as true without reference to the parties to the adjudication is also clear from the authority from which the statement purports to be taken. It purports to be a quotation from the *Duchess of Kingston's Case* (2 Sm. Ld. Cas. 573). It was not however taken from that case itself, for there is no such language there, but it was probably taken from the notes to that case, as appears from the reference to that case, though without volume or page, from the identity of the language of the several quotations with the language found in those notes, and from the volume and page (2 Sm. Ld. Cas. 667) cited in one of the briefs on file in *Keahi v. Bishop* where the same quotations are found. The quotation is not strictly accurate, the words "will be binding" having been substituted for "may be binding." This error is very material, taking the clause by itself, but not when read in the light of the accompanying clauses. It was no doubt made inadvertently or perhaps the Court was misled into making it by the brief above referred to or by some other authority where the same error was made, as, for instance, *Clemens v. Clemens*, 37 N. Y. 73. But however that may be, no inference can be made from either the *Duchess of Kingston's Case*, the notes thereto, or



*Clemens v. Clemens*, that the findings upon which a final judgment is based in one suit will be binding in another suit for a different purpose as against one not a party or in privity with a party to the first suit. On the contrary in the *Duchess of Kingston's Case* the Court expressly held, "that a sentence of the Spiritual Court against a marriage in a suit of jactitation of marriage is not conclusive evidence, so as to estop the Counsel of the Crown from proving the marriage in an indictment for polygamy," and among the reasons assigned for this conclusion we find, "first, because the parties are not the same;" and after enumerating various cases in which sentences of the Ecclesiastical Courts had been received as evidence in other suits, the Court said, "but in all these cases, the parties to the suits, or at least the parties against whom the evidence was received, were parties to the sentence and had acquiesced under it; or claimed under those who were parties and had acquiesced." The celebrated *dicta* also in that case relating to the effect of judgments in general, one of which is quoted in *Keahi v. Bishop*, are expressly confined to cases "between the same parties."

But it is argued that whatever the actual decision in *Keahi v. Bishop*, it has generally been regarded by this Court as holding that a probate decree of final distribution is conclusive on a question of inheritance; and that the dissenting opinion in that case presents the same objections that are now urged against the effect of such a decree upon the title to the real estate. To what extent the Court or its members have regarded the decision in question in the manner referred to, we cannot say. It is quite likely that that decision has been thus misunderstood to some extent by both bench and bar, but such misunderstanding we believe has never been acted upon by the Court and should not be allowed to outweigh established principles. As to the objections of the dissenting Justice (the present Chief Justice) in that case, the question of non-identity of parties—upon which the present case depends—was not raised and could not have been raised because in that case the parties were the same. The ground of difference between the majority and minority of the Court was the question of the jurisdiction of the probate court to determine a question of relationship or heirship so as to affect the real estate. The majority of the Court may have erred on this point (see 1 Van Fleet, Form. Adj. 28, 29, 67, 74-76) but, assuming that they did not, or, if they did, that we are now bound by the decision, still it does not affect the present case—which depends on the question of parties. Whether the probate court which made the decree now involved had jurisdiction to determine the question of heirship in a proceeding instituted for that purpose, we need not decide. The proceeding was not in fact instituted for that purpose. See 37 of Chap. 57 of the Laws of 1892 which confers upon Circuit Judges jurisdiction among other things "to determine the heirs at law of deceased persons and to decree the distribution of intestate estates" may go to this extent, but, if so, the proceeding should be instituted directly for the purpose. It appears in the present case that the probate court made a decree declaring who the heirs at law of the decedent were as well as distributing the personal estate, but even if it had jurisdiction at that time to entertain such a matter it did not have it in that particular case because there was no petition or notice to that effect. *Kailiuanu v. Lumai*, 8 Haw. 508.

It is true that under our statutes the same persons are distributees of personal estate and heirs of real estate and that therefore claimants of the real estate might in the capacity of claimants of the personal estate appear in the probate court and contest the same question of descent or pedigree. But they are not obliged to do so. As shown above they may make default and thereby waive all rights to the estate which is made the subject of the suit—the personal estate—and be bound as to that estate upon all questions involved, and yet not thereby waive their right to the estate which is not made the subject of the suit—the real estate. Parties who sue cannot claim more than they ask. See on the subject of identity of statutes, *Morin v. St. P., M. & M. Ry. Co.*, 33 Minn. 179.

In the second plea—that of a sale in partition proceedings—the defendant seeks to charge the plaintiff with an estoppel, not an estoppel of record on the ground that his grantors were parties to the partition proceedings or had constructive notice thereof by publication, but an estoppel *in pais* on the ground that they "stood by" with knowledge of the facts. But since the plaintiff in his replication denies that his grantors had such knowledge, it is admitted that the demurrer thereto cannot be sustained, in other words, that the second plea is unavailable at this stage of the case.

Under the third plea it is contended that a conveyance by a dissee to a third party is void as to the dissee by "the common law of England," which, "as ascertained by English and American decisions," is, by Sec. 5, Ch. LVII, Laws of 1892, "declared to be the common law of the Hawaiian Islands in all cases, except as otherwise expressly provided by the Hawaiian Constitution or laws, or fixed by Hawaiian judicial precedent, or established by Hawaiian national usage, provided however, that no person shall be subject to criminal proceedings except as provided by the Hawaiian laws."

It is as at least questionable whether such is the common law "as ascertained by English and American decisions," notwithstanding the statements of many standard authors to the contrary.

As for English decisions we know of none upon this subject prior to the Pretended Title Act, 32 Hen. VIII. c. 9. All subsequent decisions have been based upon that Act. The chief ground for supposing this to have been the common law previously is a remark in *Partridge v. Strange*, reported in Plowden, that that Act did not alter the common law except as to the penalty. But there had previously, from the time of Edward I., been many statutes passed upon the subjects of champerty and maintenance, and it is impossible to say how much the earlier decisions were affected by those statutes. We are at least without any definite knowledge of the law upon this subject as an intelligible system established by judicial decisions prior to the Pretended Title Act. The principal object in the enactment of those statutes seems to have been to prevent powerful lords from purchasing pretended titles for the purpose of harassing each other and more particularly for the purpose of oppressing and taking advantage of the common people by the exercise of the unfair influence of their wealth and position upon a weak or corrupt judiciary. But as the occasion for those statutes passed away with the changing conditions under which purchases came to be made more for purposes of trade and commerce than oppression, the Courts grew less and less inclined to favor the rule and adhered to it only so far as obliged to do so by statute, and finally the statute itself was repealed in so far as it bears upon the present case. *Jenkins v. Jones*, L. R. 9 Q. B. D. 128.

Turning now to America, we find this subject covered by local statute in many states in the majority of which conveyances are expressly permitted notwithstanding adverse possession. *Stimson*, Am. St. Law, Sec. 1401. In the majority of

the other states in which the question has arisen, the judicial decisions are the same way. Among the courts generally referred to and which are referred to by defendant's counsel in this case as holding such conveyances void by the common law are those of Massachusetts and New York. But in the former state the court appears to have so held not so much by the common law of England as by the common law of Massachusetts which included the statute law of England at the time of the "Pretended Title Act." *Somes v. Skinner*, 3 Pick. 52; *Brimley v. Whiting*, 5 Pick. 348; *Barry v. Adams*, 3 Allen 494. And in New York we find the decisions based upon a local statute passed, as the court said, "at an early day" out of "deference for English legislation." This statute was afterwards for the most part abrogated. And the court said that "in this country, and especially in this state, the whole law of maintenance, except so far as it is embodied in our statutes has been repeatedly regarded by the courts as inapplicable to the present condition of society, and substantially obsolete," and that "even in England, the law of maintenance has fallen in a measure, into desuetude." *Sedgwick v. Stanton*, 14 N. Y. 289. Maine is another state in which the old rule was deemed law but only, as the court said, because it "was recognized by the Supreme Court of Massachusetts before the separation of this State from that Commonwealth." The old law was however altered by statute and in reply to the argument of counsel for a strict construction of the statute the court after showing the inapplicability of the old law to the present state of social equality, freedom of trade and fair administration of justice, said that it would not "thwart the purposes of beneficent legislation, by substituting therefor doctrines which had their origin in a semi-barbarous age, and which have long since fallen into disrepute with the occasion which elicited them." *Hovey v. Hobson*, 51 Me. 62. Some Courts, it is true, adhere to the old rule more distinctly on the ground that it is the common law of England. *Fite v. Doe*, 1 Blf. 127; *Martin v. Clark*, 8 R. L. 389; *Gruber v. Baker*, 20 Nev. 453. But the weight of authority seems to be to the effect that, if this ever were the common law, it is now obsolete as such and has no existence at the present time apart from statute. *Schomp v. Schenck*, 40 N. J. L. 195; *Mathewson v. Fitch*, 22 Cal. 86; *Bentley v. Franklin*, 38 Tex. 458; *Wright v. Meek*, 3 Gr. (Ia) 472; *Hall v. Ashby*, 9 Oh. 96; *Brown v. Bigne*, 21 Or. 260; *Richardson v. Rowland*, 40 Conn. 565; *Roberts v. Cooper*, 20 How. (U. S.) 467; *Crane v. Reeder*, 21 Mich. 25; *Haddock v. Wilmarth*, 5 N. H. 181.

We are further of the opinion that the doctrine contended for, if common law, is within the exception of the statute, "as otherwise fixed by Hawaiian judicial precedent, or established by Hawaiian national usage." See *Danforth v. Streeter*, 28 Vt. 496. The principal grounds upon which the rule is said to rest are champerty, necessity for livery of seisin, and inalienability of a chose in action. Champerty is not a criminal offense here as it was by the common law or early English statutes. The rule is not adapted to the conditions of equality, freedom of trade and fair administration of justice that have long prevailed here. The common law as such was not in force here until January 1, 1893. Livery of seisin has never been required here. *Kapaukea v. Lawrence*, 4 Haw. 674; *Rose v. Smith*, 5 Haw. 377; *Kamalu v. Luhau*, 7 Haw. 324. The ground of non-assignability of a chose in action as a support to this rule was disposed of in *Estate of Kealiiahonui*, 9 Haw. 6. Conveyances by disseees have frequently been the basis of litigation here without their validity being questioned. See, for instance, *Aylett v. Kaweanani*, 8 Haw. 320; *Kela v. Pahuilima*, 5 Haw. 525; *Rose v. Smith*, Ib. 377; *Achi v. Kaula*, Ib. 298. In the two cases in which alone, so far as we know, the validity of such conveyances has been questioned the conveyances have been sustained, although in one of the cases, *Kapaukea v. Lawrence*, 4 Haw. 674, no reasons are given and in the other case, *Estate of Kealiiahonui*, 9 Haw. 6, the reasoning bears only upon the question of non-assignability of a chose in action. See also *Henrique v. Paris*, 10 Haw. —.

We are therefore of the opinion that the demurrer and pleas are insufficient and the case is remanded to the Circuit Court of the First Circuit for such further proceedings as may be proper.

Kinney & Ballou and W. R. Castle for plaintiff.  
A. S. Hartwell and Thurston & Stanley for defendant.

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Dr. J. Collis Browne's Chlorodyne rapidly cuts short all attacks of Epilepsy, Spasms, Colic, Palpitation, Hysteria.

Important Caution.—The Immense Sale of this Remedy has given rise to many Unscrupulous Imitations.

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GUARANTEED TOBACCO CURE

Over 1,000,000 boxes sold, 300,000 cures prove its power to destroy the desire for tobacco in any form. No-to-bac is the greatest nerve-food in the world. Many gain 10 pounds in 30 days and never feel like the weak, impotent man strong, vigorous and magnetic. Just try a box. You will be delighted. We expect you to believe what we say, for a cure is absolutely guaranteed by druggists everywhere. Send for our booklet—'Ten To Tobacco' and smoke Your Life Away—written guarantee and free sample. Address THE SWEETLAND REMEDY CO., Chicago or New York.

SOLD AND GUARANTEED BY HOLLISTER DRUG CO.

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Daily Advertiser: 75 Cents.

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Theo. H. Davies & Co., Ltd.  
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Established 1836.

Accumulated Funds, £3,975,000.

BRITISH AND FOREIGN  
MARINE INSURANCE CO., Ltd.,  
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Capital - - £1,000,000.

Reduction of Rates.

Immediate Payment of Claims.

THEO. H. DAVIES & CO., Ltd., Agents.

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The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agents.

General Insurance Company for Sea, River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands the undersigned General Agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.  
F. A. SCHAEFER & CO.,  
Agents for the Hawaiian Islands.

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OF BERLIN.

Fortuna General Insurance Company  
OF BERLIN.

The above Insurance Companies have established a General Agency here, and the undersigned, General Agents, are authorized to take risks against the dangers of the seas at the most reasonable rates and on the most favorable terms.  
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Trans-Atlantic Fire Insurance Company

OF HAMBURG.

Capital of the company and reserve, reichsmarks - 6,000,000

Capital their reinsurance companies - 101,650,000

Total reichsmarks - 107,650,000

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OF HAMBURG.

Capital of the company and reserve, reichsmarks - 8,850,000

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Total reichsmarks - 43,850,000

The undersigned, General Agents of the above two companies for the Hawaiian Islands, are prepared to insure Buildings, Furniture, Merchandise and Produce, Machinery, etc., also Sugar and Rice Mills, and Vessels in the harbor, against loss or damage by fire on the most favorable terms.  
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Total Funds at 31st December, 1895, £12,433,131.

1- Authorized Capital - £2,000,000 & s. d.

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Paid up Capital - 687,500 0 0

Fire Fund - 2,601,000 0 0

Life and Annuity Funds - 9,144,634 12 0

£12,433,131 12 0

The accumulated Funds of the Fire and Life Departments are free from liability in respect of each other.

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Agents for the Hawaiian Islands.



## Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

W. R. FARRINGTON, EDITOR.

FRIDAY, OCTOBER 2, 1896.

Every poison has its antidote, consequently there is some hope for those who allow their opinions to be influenced by the misrepresentations of the opposition.

If the people of the United States declare for free silver they can no longer consistently point disdainfully at the large number of Asiatics in Hawaii. With all its Asiatic population this country keeps on a sound financial basis. Some of the American politicians are dead set on bringing their financial systems to an Oriental basis.

The baseball men have talked quite enough; the next thing is to get down to business and arrange for the game between the leading teams of the League. Manager Coyne published what he had to say over his own signature and certainly the Star manager or any member of the team should not hide behind a nomie plume. The public would be glad to see a few more good ball games this season. Stop talking and get down to business gentlemen!

Mr. Thurston has set the bicycle wheels rolling in a style that should give the young men new enthusiasm and confidence in the race track project. This is just the time of year for the cycle clubs to begin to get in their work. The base ball and boating season is finished, tennis is taking a breathing spell, leaving with a very good opening for the next section of the sporting fraternity to get in good trim. Honolulu can't have too much in the way of good, healthy outdoor sports.

No better scheme for giving the U. S. A. Senate a send-off could be selected than to open the first meeting with a silver vs. gold discussion, led by some of the prominent gentlemen of the town. The names of McKinley, Thurston, Bishop and Judd are often mentioned in connection with discussions on public finance, although Chief Justice Judd is the only one of the four mentioned who favors the yellow metal. It is certain, however, that a very strong team could be formed, and the discussion would undoubtedly attract as large an audience as a regulation campaign rally.

Our contemporary's remarks about the columns on columns of good road material it has published reminds us of the bicycle dude who started out to make a century run. After riding two or three miles he became tired and sat by the side of the road while a small boy, for a consideration, took the job of spinning the front wheel of the machine till the cyclometer showed the requisite number of miles. Having become thoroughly rested the bicyclist mounted his wheel, rode back to the club house and began to tell stories of what a wonderful run he had made. So our esteemed contemporary noted for its superabundance of "wheels," tells great stories of what it has done—but that is the first the public knew of it.

When James G. Blaine was in the campaign harness, he told one of his lieutenants in forecasting the election returns to "claim everything." The spirit of the Plumed Knight is still hovering over the headquarters of the party managers. Chairman Jones on arriving in Chicago recently gave out an interview in which he claimed New York and New Jersey for Bryan, together with Illinois, Indiana, Ohio, Wisconsin and Minnesota. On the other hand every Republican prophet claims each and every one of the above States and a lot more besides. The only distinguishing difference so far noted is that the Democrats speak of their candidates as "carrying States" while the Republicans tell of McKinley "being elected." Meanwhile everybody is "sawing wood."

We are told by an evening contemporary that Senator McCandless and his self-appointed mouthpiece are the only persons and things that have done any good practical work in extending good roads. Shades of our departed ancestors, what portion of the earth will be claimed next? Senator McCandless has done his share in booming road improvement, but why should the mouthpiece seek to make the Senator play second fiddle? All our esteemed, etc., has ever said was that improvements were good things, and the roads "or something else" should most certainly be improved. "Or something else" of course covers a multitude of sins and gives plenty of leeway to fall in with the Senator or someone else who may be more popular at the time being.

If nothing more was learned at the bicycle meeting last night, the boys were certainly impressed with the fact that bicycle tracks cost money. The

size of the bill in this instance, however, is not so large as to cause a panic among the cyclists. Mr. Desky generously shows his willingness to shoulder a large proportion of the expense, and it will be many a day before another equally good opportunity will be offered the young wheelmen of the town. A good track on which fast records can be made, and a track where the spectators can see something more than the finish of the races, ought to give a new interest in bicycling, which will bring money into the club treasuries in sufficient sums to gradually shave down the debt which might be incurred at the outset.

Some idea of Chinese liberty is obtained from the story told by a Tokyo paper of how a mandarin named Wang Pang Yun in a letter to the Empress Dowager implored that lady to remember that China's finances are in a bad condition and that the country could not recover from the disgraceful defeat suffered at the hands of the Japanese unless the utmost economy were exercised. Her Majesty should therefore forego the pleasure of having new palaces built for her. It was confidently expected that the daring official would be beheaded. His life has, however, been spared at the instance of the Emperor, who admired his courage. He was banished from the court, but it is said that the Emperor will shortly recall him with great honors. What wonder is it that the Chinese have developed a racial trait which leads them to meekly bow in submission to ironclad and sword pointed oppression.

The following tribute to Charlie Spittoben, who is a close relative to C. Spitztraight, is given by Max O'Rell in his "Jonathan and His Continent": "The most indispensable, it appears—the most conspicuous at any rate—piece of furniture in America is the spittoon. All (public) rooms are provided with this object of prime necessity; it is impossible to escape the sight of this ugly utensil. The Americans, accustomed to these targets from tenderest age, are marvelously adroit in the use of them; they never miss their aim." No criticism ever passed upon the American people is better deserved than this reference to the spitting habit. It is said that there are more tobacco chewers in the United States than in any other nation; hence the ornamentation of sidewalks and public halls. In the country, the farmer who sits on a sugar barrel in the corner grocery is not up to the mark unless he can squirt tobacco juice half way across the store and hit a seven by nine spittoon nine times out of ten. A Philadelphia reporter said recently that in going two blocks on one of the busy "shopping" streets he counted three hundred and twenty pools of tobacco juice, and all were fresh. In fact when a lady walks the street and endeavors to fight shy of the expectorations of would-be gentlemen she appears as if she were playing hopscotch. With its numerous Americanisms, Hawaii has included the spitting habit in its adopted customs. Even the Englishman with his pipe and the Frenchman with his cigarette have in many instances added the American spittoon to their list of vices. However, if men must expectorate all over the streets it would be much more gentlemanly on their part to leave the sidewalks sufficiently clear to allow ladies to pass without constant fear of wiping up pools of tobacco juice with their skirts.

## BIRTH RATE AND CIVILIZATION.

According to census returns among the civilized nations a low birth rate follows inevitably in the wake of civilization and, strange to say, in the wake of moral degeneracy as well. The decrease in the birth rate is a problem that is troubling the French mind just at present and to the many intelligent and scientific men who have evolved theories as to the cause, the world is indebted for special statistics of considerable value.

A writer in a scientific journal of Paris draws an interesting comparison among the different states of the American Union and further shows that next to France the United States has the lowest birthrate. For the whole United States during the past two centuries the birthrate was only 36.68 to the thousand, while in France the rate is 22.5. In considering the different States of the Union, however, it is shown that with a few exceptions the Eastern section has a low birthrate and the South and West a much higher rate. The States having the lowest rate are Nevada, 16.7; Maine, 17.99; New Hampshire, 18.4; Vermont, 18.5; California, 19.4; Connecticut, 21.3; Massachusetts, 21.5; Wyoming, 21.5; Rhode Island, 22.4; and Oregon, 22.5. Among the States mentioned having a rate of from 30.1 to 34 are Mississippi, Georgia, Alabama, West Virginia, Tennessee, South Carolina, Utah, Texas, Arkansas and New Mexico. This condition of affairs the Parisian writer attributes to the degree of civilization. The Southern States are largely populated by negroes who in the remote districts at least tend to revert to barbarism. The poor whites of the South are also about on the same plane and may be classed as "products of simple and patriarchal customs." In these

States the percentage of illiteracy is larger and wages are lower which may be taken as good evidence of a "backward people."

In the older Northern States the condition of the common people is better, they are more intelligent, progressive and wages are high and the climate healthful, yet in the face of all its advantages the New England race, if it may be so termed, is in greater danger of dying out than the people of the South. The evil of hypochondria or deficient birthrate has gone hand in hand with the advance, the culture and wealth of the descendants of the Puritan settlers. The causes that bring this thing about are multifarious. Demands of society may be put down as one and moral degeneration another, but the French critic comes pretty near the foundation of the matter when he attributes the decline of the birthrate to the tendency of woman nowadays to make her life more like men, "adopt men's occupation and assume men's costume—in a word do all things in which she believes that she will find emancipation that is preached to her." Some people call this civilization, and as it seems to be generally accepted as such, future generations will see the civilized sections of the country wiped out of existence—and the world would lose much in consequence. The purest, best and lasting civilization find its foundation in the old fashioned country homes of large families and few spoiled and puny children, where the society of the home circle is all that is desired, where money is scarce and hard work and brains plentiful.

## A FEW PRACTICAL RESULTS.

Discussion of the financial problem as set forth in the United States today usually results in a series of predictions. The silverite is enthusiastic over what he believes the American Union can do towards restoring the price of silver and giving the producer more money, while the goldbug maintains that free coinage will bring all financial transactions to a silver basis and run gold out of the country. Every Tom, Dick and Harry of the two opposing parties has his theory and his prediction worked out to a nicety. But the best way to prove the silver theory is to turn to a country which has tried free coinage, and whose financiers know how the system results in practice. One of the best things which has come to our notice recently is an interview given the New York Sun by Senator Limontour, the Mexican Minister of Finance.

This gentleman has had an opportunity to study the silver coinage problem, and has also had an opportunity to chase around to get funds to pay gold bonds which go to a high premium, and this is what he says of Mexico: "Mexico has always had free coinage. The ratio is 16 to 1. Theoretically our standard is bimetallic, but of course it is really a single silver standard. It is not possible to have a double standard under free coinage. Any gold we have is immediately exported, and I have never seen any gold in circulation in Mexico. Gold is at a premium of nearly 200. We produce but little gold. Last year the output was 2,000,000 ounces, while we produced the same amount of silver as the United States, 55,000,000 or 60,000,000 ounces."

"There is keen interest in Mexico in the result of your election, because of the effect it will have upon the price of silver generally. Each time silver goes down it is a serious detriment to our country, because we have made four foreign loans payable in gold. As silver depreciates and the premium on gold is increased, it becomes more difficult for our Government to meet these obligations. Of course we have silver bonds also, which are taken up at home. The gold bonds are worth nearly double what the silver bonds are worth. It was a serious blow to us when the Indian mints were closed in 1892 and the Sherman act was repealed in 1893, because of the fall in the price of silver which followed."

It is the same story in practice as in the prediction; silver at a ratio of 16 to 1 becomes the circulating medium, and gold held at a high premium goes out of existence. When asked about the effect of the silver standard on wages, Minister Limontour said: "They have not increased perceptibly. The same is true of Japan, where wages are very low. For this reason Japan and Mexico will, in a few years, be able to compete successfully with England and the United States because of the silver standard and low wages."

## ACTION BETTER THAN WARNING.

In the Hilo Tribune of recent date there appeared this remarkable item: "A rather high handed action was attempted during the week. The matter is not a light affair to deal or write about. It suffices to say that a young woman of this town was induced to take a back ride up the volcano road. She was accompanied by a younger sister, by whose presence the elder one was saved from the plans of disreputable parties. A warning is given, and this should be sufficient for the parties concerned."

We must admit the truth of the statement which places the above as no light affair to deal with or write about, but the substance of that one

item represents the disgraceful core of the foundation of some of the evils that exist in this country. People hold up their hands in holy horror when such cases are brought to notice, and cautiously recommend that the matter be kept quiet and allowed to "blow over." They would even object to an item like the above being placed in a newspaper, and appear shocked if the names were mentioned and the miserable wretch of mankind exposed. If false modesty ever existed, and if good people ever did anything injurious to the social welfare of the community, such false modesty and such injury is exemplified in the tendency to pass over lightly what in this country comes under the category of "unmentionable."

As to the persons or the details to which the Hilo Tribune refers, we know absolutely nothing, but we take it for granted that the editor knew what he was talking about. But mark the indifference with which such an affair is received. Let the same thing happen in the Southern States and stringing up by the thumbs would be too good for the man; let the same thing occur in the average Anglo-Saxon community and the culprit would be ostracised from decent society and eventually run out of town. What happened in Hilo? Nothing. And the same would probably be true in Honolulu, where the moral condition of the lower classes is dwelt upon with such solicitude. There need be no hope for improvement among the lower classes when the circles even a few degrees higher treat immorality, which is nothing more or less than most damnable criminality, as something that can't be helped, consequently the less said about it the better.

Legislators may pass laws and police may hound the lower classes from pillar to post, but the conditions will never improve for any length of time until the more select circles take a sharp, decisive stand, until immorality becomes the mark which shall ostracise the man who bears it from the family circle, the social circle, and finally the business circle. "Hushing up" will never accomplish any permanent good; newspaper warnings amount to nothing when people know the weak popular sentiment behind it. Immediate, practical and forcible condemnation on the part of the business community and society will do the work, and do it most effectively, in the shortest possible time.

## LOCAL BREVITIES.

Advertised letter list in this issue.

The Government paid the interest on \$255,000 worth of bonds yesterday.

The October Delinquent is now ready at Mrs. Hanna's, also the October patterns.

It is probable that arrangements will soon be made for a hospital at Hilo, Hawaii.

"Listen to what the Dickie bird says" about the Hawaiian Hardware-Co. in their ad. of today.

Deputy Sheriff Scott of Maui left for his new post of duty yesterday. His wife accompanied him.

A good thing, push it along, meaning "The Globe" lawn mowers that Castle & Cooke are selling at moderate prices.

W. H. Hall, taxidermist at the Bishop Museum, severs his connection with that institution this week and leaves for the coast by the Australia on Saturday.

Among the welcome returning residents by the steamer yesterday were Judge Widemann and family who have been making a rather extended visit to the coast.

Robert Catton's visit abroad was for the purpose of meeting his wife and children who have been visiting in Scotland, their old home for nearly two years.

As a result of the good sugar season the Ewa Plantation Co. yesterday paid off \$250,000 of its bonded indebtedness. This puts considerable money in circulation in Honolulu.

A young son of T. C. Willis, of Kohala, who has been ill with typhoid fever at St. Louis College, was removed to the residence of his uncle, J. J. Williams, yesterday.

The flag over the Executive building was at half mast yesterday during the funeral of Joseph Nawahi. Minister Cooper was a caller at the Nawahi home during the services.

William H. Coney, reporter for the Advertiser, left on the Kinau yesterday for a two weeks' visit on Hawaii. During his absence Charles Hyde will take his place on this paper.

The Bishop of Panopolis and Father Leonard dined with the officers of the French man-of-war at the Hawaiian hotel last night. Charge d'Affaires Canavarro was one of the guests.

James Campbell and family returned by the Australia yesterday after a long, and to Mr. Campbell, eventful vacation in California. Mr. Campbell looks well and fit to give two or three Winthrop's battles.

Hon. Cecil Brown and wife and Miss Dickson returned yesterday after a two months' visit to San Francisco. Mr. Brown's trip was a combination of pleasure and business, he having gone away mainly to look after Mr. Campbell's interests in the prosecution of Winthrop.

## GROUP QUICKLY CURED.

MOUNTAIN GLEN, Ark.—Our children were suffering with croup when we received a bottle of Chamberlain's Cough Remedy. It afforded almost instant relief. P. A. Thompson. This celebrated remedy is for sale by all druggists and dealers. Hanson, Smith & Co., agents for the Hawaiian Islands.

## JOS. NAWAHI'S REMAINS.

Arrived by the Australia from the Coast Yesterday.

Large Attendance of Relatives and Friends. Crowds Along the Line—Band and Police Escort.

(From Wednesday's Daily.)

The remains of the late Joseph Nawahi arrived on the Australia yesterday and were met by nearly two thousand mourning friends.

About eight o'clock the corpse was removed in a hearse drawn by four horses to the undertaking parlors of H. H. Williams and later taken to the Nawahi residence, Palama.

During the afternoon hundreds of visitors called on the Mrs. Nawahi and paid their respects, and at night the avenues leading to the house were lighted with torches as a mark of respect to the deceased. The grounds were filled with people throughout the night. The room in which the remains were lying in state was a mass of cut flowers in different beautiful designs, two large pillows made of white flowers being especially noticeable. One had upon it wrought in flowers the name of the deceased and the other Aloha Aina.

On either side of the casket four kahili bearers were placed and they kept watch during the night while a number of boys in whom Mr. Nawahi was much interested during life sang Hawaiian dirges alternately with music rendered by the Kawaihau Club.

(From Thursday's Daily.)

The funeral services of the late Joseph Nawahi were held in the family homestead, Palama, shortly before 1 o'clock yesterday. The house and the grounds were crowded with relatives and friends of the deceased, and various societies of which he was a member, long before the hour announced for the funeral.

Rev. Timeoto delivered an eulogy over the remains, in which he dwelt upon the sterling qualities of Mr. Nawahi, and the love he had for his country. During his address the people congregated paid close attention and many of them were visibly affected.

At half past one the cortege left the house, headed by the Hawaiian Band and a detachment of police under Captain Parker. Then came Undertaker Williams in a carriage drawn by four black horses. Following walked two societies of women to the number of 500, and another, the Aloha Aina, of men. The hearse, drawn by sixty-four of the friends of the deceased, was next in order. The pall bearers, J. O. Carter, Charles Creighton, David Dayton, R. W. Wilcox, W. C. Ahi, S. K. Kane, J. L. Kauhiko, F. J. Testa, E. K. Lilikalani, S. K. Kaaukai, Kaunamano and Kaneali.

The procession marched down King to Fort to the Kinau wharf where the casket, draped with an Hawaiian flag, was carried on board the steamer Hawaii for transportation to Hilo where the interment will take place.

## Can't Eat

This is the complaint of thousands at this season. They have no appetite; food does not relish and often fails to digest, causing severe suffering. Such people need the toning up of the stomach and digestive organs, which a course of Hood's Sarsaparilla will give them. It also purifies and enriches the blood, cures that distress after eating and

## Internal Misery

Only a dyspeptic can know, creates an appetite, overcomes that tired feeling and builds up and sustains the whole physical system. It so promptly and effectively relieves dyspeptic symptoms and cures nervous headaches, that it seems to have almost "a magic touch."

## Distress After Eating.

"I have been troubled with indigestion for some time. After eating anything that was sweet I was sure to experience great difficulty and distress. Last fall I began taking Hood's Sarsaparilla and am glad to say that my stomach trouble has entirely disappeared. I can now eat a hearty meal of almost any kind of food and have no trouble afterwards. Hood's Sarsaparilla has also cured me of nervous spells." JOHN H. HONIGHAUSER, Wheatland, Iowa. Such cures prove that

## Hood's Sarsaparilla

Is the best—in fact the One True Blood Purifier. Prepared by C. I. Hood & Co., Lowell, Mass. cures nausea, indigestion, biliousness. 25 cents.

## Hood's Pills

HOBSON DRUG COMPANY, Wholesale Agents.

## C. HUSTACE,

Wholesale and Retail Grocer LINCOLN BLOCK, KING ST. Family, Plantation & Ship's Stores Supplied on Short Notice.

New Goods by every steamer. Orders from the other Islands carefully forwarded. TELEPHONE 119.

S. T. ALEXANDER H. P. BALDWIN

## ALEXANDER &amp; BALDWIN

Commission Merchants, NO. 3 CALIFORNIA STREET, SAN FRANCISCO

Island Orders Promptly Filled.



A Model Plant is not complete without Electric Power, thus dispensing with small engines.

Why not generate your power from one CENTRAL Station? One generator can furnish power to your Pump, Centrifugals, Elevators, Plows, Railways and Hoists; also furnish light and power for a radius of from 15 to 26 miles.

Electric power being used saves the labor of hauling coal in your field, also water, and does away with high-priced engineers, and only have one engine to look after in your mill.

Where water power is available it costs nothing to generate Electric Power.

THE HAWAIIAN ELECTRIC COMPANY is now ready to furnish Electric Plants and Generators of all descriptions at short notice, and also has on hand a large stock of Wire, Chandeliers and Electrical Goods.

All orders will be given prompt attention, and estimates furnished for Lighting and Power Plants; also attention is given to House and Marine Wiring.

THEO. HOFFMAN, Manager.

## THE Assortment

Is the thing that catches the eye of the public; the price is governed mainly by the pulse.

In good times when money was plentiful, high prices prevailed, but when the purse strings were drawn,

## Prices Came Down.

We give you a better assortment to pick from and better furniture today for much less money than we did a half dozen years ago.

Prices today are at bed rock and can never be lower. We are not fearful of competition on prices we have now, for the same quality of goods.

In our jobbing and repair department we have the best materials and employ only the best workmen. No one can do the same class of upholstering we are doing, and our charges cannot be met.

## HOPP &amp; CO.

KING AND BETHEL STS.

## J. S. WALKER,

General Agent the Hawaiian Islands.

## Royal Insurance Company,

Alliance Assurance Company, Alliance Marine and General Insurance Company.

## WILHELM OF MADDEBURG

INSURANCE COMPANY.

San Life Insurance Company of Canada.

Scottish Union and National Union.

Room 12, Spreckels' Block, Honolulu, H. I.



## POSSIBILITIES IN PLANT CULTURE.

C. M. Heinz, a Horticulturist of  
California, Gives an Opinion.

### NECESSITY FOR ORGANIZATION.

What Has Helped the Fruit Grower of California—Fumigation For Pests—Try It on the Japanese Beetle—What Inspectors May Accomplish—Large Trade May be Built.

C. M. Heinz, editor of the Rural Californian, whose arrival was mentioned in these columns early in the week, is enthusiastic on the subject of horticulture in Hawaii and sees a great future for people who wish to embark in the business of raising plants for shipment to the United States and Europe.

"But," said Mr. Heinz, "from my experience as a horticulturist and as an officer in various organizations devoted to the interests of horticulture in that state, I can see that something is needed, an organization different from anything you have here and something that will advance the interests and protect them of the planters. California has taken a position in the front rank of semi-tropical fruit-producing States, but the position could not be maintained but for the fact that the growers have an organization and the State appropriates money for the services of men who act as commissioners and inspectors of plants and trees.

"You have Commissioner Marsden, but what can one man do in a place as large as this? He is expected to do what we have forty men to accomplish and I am really astonished to see what Mr. Marsden has done. Let me tell you of our methods in Southern California. There we have forty men employed to inspect all of the orchards in seven counties and report to the commissioners. Some counties, the smaller ones, have but one commissioner, others have as many as three.

"When an inspector finds an orchard infested with scale or any other pest he at once reports it to the commissioner in his district. Then it becomes the duty of the commissioner to verify the report and order the owner of the orchard to use such means as the character of the pest may require to rid the orchard. If this is not done inside of ten days then the proper official of the county takes the matter in hand and has it done. The expense is charged to the orchardist, and if it is not promptly paid it is charged as a lien against the property.

"It is only by such measures as this that California has become what it is as a fruit-producing state. If it were not so more than half the trees would have been destroyed, for some men are so constitutionally timid even in the glorious climate of California that they will not go to the trouble and slight expense of protecting their own interests.

"The commissioners of the seven counties meet once each month and compare notes; if new remedies brought in have proven satisfactory to one man he communicates the fact to others. For a time the general plan there was to spray trees for any evil which might come, but that was so unsatisfactory in its results that it has been abandoned and the general impression now obtains that the best general results may be had by a fumigating process, and by the way I brought down a complete outfit and gave it to Commissioner Marsden.

"From the experience we have had with this process I am quite sure Honolulu would soon be rid of the Japanese beetles and the beautiful roses, of which I have heard so much would bloom again. We use it for other pests and by its agency the fruit trees of California have been kept in a perfectly healthy condition. Our organization extends beyond keeping pests from trees; fruit shipped from packing houses passes through the hands of an inspector before it leaves the point and in every large city in California is an inspector who examines it for pests. If any of the fruit shows signs of pest it is ordered cleaned, and if not promptly done the fruit is confiscated and destroyed.

"Nursery stock cannot go from one county to another without having a certificate of freedom from blight, and no station agent is allowed to receive fruit or trees without first seeing such certificate. When trees or shrubs arrive at a station, the agent notifies the county commissioner or inspector who examines them before they are delivered to the orchardist.

"Orange trees found within the city limits to be infested with pests must be cleaned by the owner or they are declared a nuisance and destroyed at the expense of the owner. I know of an instance where the rat scale infested one side of an orchard at Riverside and sixty magnificent fruit-bearing trees were killed by the commissioner. In this case the owner was willing to sacrifice the trees in order to get rid of the pest.

"You can see now what your Commissioner of Agriculture would have to attend to in order to have the trees here as free from blight as are those in California. You can see, also, that it is a physical impossibility for one man to do it. Mr. Marsden has done heroic work, but he needs assistants; there should be a quarantine office for the inspection of trees and plants to be shipped from Honolulu or to examine those which arrive, and for the inspection of trees and plants in the city. There should be two general inspectors, practical horticulturists, men whose opinions would be of service to coffee planters and others who are planting trees.

"I believe that if such men were employed here thousands of dollars could be saved the coffee men because there seems to be no one man of planting. I

told them that they dig holes and put the top soil back and the bottom soil on top, because the top soil is sour. I am satisfied it must be sour because most soil in a new country and any soil three or four hundred years old is new, where there is so much moisture as you have is sour. The better way to plant is to dig the holes wide and deep and let them remain open long enough, a week will do, for the earth to dry out.

"The expense of maintaining such a system of inspection could be borne by the planters or divided between them and the government. In California the funds are raised by a special county tax on the horticulturists.

"If you had such plan in use here Commissioner Marsden could meet the planters, say once in three months and the inspectors and quarantine agent could file their reports; the planters could express their opinions of methods and where one had discovered a remedy for certain blight it could be communicated to others. An interchange of ideas on coffee culture would be a wonderful benefit to the men who have put their money in that business in these islands.

"Another thing I wish to speak of. In California and all parts of the United States there is a constantly growing demand for your plants and ferns; people who live in southern California where the climate is similar to this, can grow the same trees and shrubs in their own air. In colder climates they are grown in hot houses and these people are willing to pay big prices for trees, bulbs or cuttings. But the pests you have are a barrier to the trade. Our inspector is very strict in the performance of his duties, and if there is the slightest trace of a pest on anything you ship us over board it goes.

"But if there was a quarantine officer to fumigate the plants or trees and some one would embark in the business of raising palms, ferns, etc., for shipment abroad I am sure an enormous trade could be built up. Why one man or one firm could not handle it I am satisfied and I want you to make a note of the figures, that so soon as the fact become known that perfectly healthy trees could be shipped from here, that an export business of three or four hundred thousand dollars a year could be done. The people in the United States and Europe are wild after Hawaiian grown potted palms, ferns, particularly the birds' nest ferns, and they are willing to pay any price for them.

"You want to encourage emigration of a desirable white class of inhabitants. Men with limited capital could come here and embark in this business and get good results; men with families who are here now could go into it and do well, of this you may be assured. The capital required would not be more than a few thousand dollars, depending of course on the extent of the business, and there is an abundance of land here suitable to this line of business, but there should be a quarantine officer whose certificate would be a sufficient guarantee of the cleanliness of the plants; without this you cannot expect them to be landed in the United States."

### METEOROLOGICAL SUMMARY.

From Observations Made by the  
Weather Bureau.

#### SEPTEMBER.

Average temperature, mean of three daily observations, 77.1; normal for September, 77.4. Average daily minimum, 73.1; average maximum, 81.1; lowest minimum, 68, on the 10th; highest maximum, 89, also on the 10th; lowest daily average, 74.7, on the 11th; highest, 78.8, on the 25th. (This was 0.2 less than the temperature of August 14th, which was the warmest day in the year.)

Average daily barometer, 30.014 in.; normal, 30.03; daily average range, 0.072; barometer lowest, 29.92, on the 10th; highest, 30.12, on the 24; low pressure periods about the 4th, 10th, 18th and 20th; high pressure periods about the 2d, 7th, 14th and 21st.

Average relative humidity, average of observations at 9 a. m. and 9 p. m., 64.5; normal, 70; absolute humidity, 6.72 grains to the cubic foot, ranging from 6.2 on the 15th to 7.2 on the 2d and 11th.

Total rainfall, 0.45 in.; normal, 2.0; maximum rain in one day, 0.11 in., on the 19th; rain record days, 12; heavy dew on the 10th, 11th, 12th, 13th and 17th. Cloudiness, 34 per cent; normal, 40 per cent; days marked fine, 15, mostly between the 2d and 20th of the month.

Wind, N. E. trades, moderate in force until the 7th, then very light most of the time until the 17th, when they were interrupted, to return immediately and persist in moderate force until the 30th. The prevailing direction has been N. N. E.; average force, 2.65, Beaufort scale.

### SUGAR GOING DOWN.

Williams, Dimond & Co. on Rice,  
Coffee and Sugar Market.

Williams, Dimond & Co. a letter of September 21 gives the following late market report:

Rice—There has been an advance in Hawaiian in the local market owing wholly to a like advance in New Orleans. Importers have refused offers at 12-13 c net and are asking 14, which will doubtless be obtained. There has been a severe drought in Louisiana and the crop cannot be more than 50 per cent of last year's.

Japan—There is little demand at present and we quote prices at \$3.50, duty paid. With a further advance in Japan, the demand for Japan rice will increase.

Kona Coffee—There is no particular change to note in the market and no arrivals until today, when a lot of the harvest has come to hand, but has not yet been landed. We quote prices nominally at 15 c to 16 c.

Sugar—Our telegram from New York, received this afternoon, quotes centrifugal 96 per cent test, ex ship, what or store, at 16 c per pound, with spot sales of 1200 bags at 15 c. The indications point to no important change in prices for the present. Receipts have been heavy since last Thursday and importers are storing. Buyers and sellers are apart and very little doing.

London Beet Sugar, 38 per cent test, f. o. b., September, is 10 1/2-10 3/4 c. London market quiet. Cane molasses, 100 lbs. 10 c. Beet molasses, 100 lbs. 10 c.

Vessels up and loading: Aloha, for Honolulu, to sail September 22nd. Mokuia, for Honolulu, to sail September 23rd.

The Buddhist idea of hell is a place of eight divisions. In the first and easiest the sinner walks for endless ages barefooted over a landscape of rethorn needles, points up.

## AND WINTHROP SAID "THANK YOU."

When Life Sentence Was Finally  
Passed on Him.

### MAKES WEAK PROTEST TO JUDGE

But Millionaire Kidnapers Have no Favor in  
Eyes of the Law—Attorney Appeals to Supreme Court and Meets With Partial Success—Demonstration Quickly Suppressed.

Oliver Winthrop was sentenced to imprisonment for life by Judge Wallace yesterday for the robbery of the millionaire planter, James Campbell, August 24 last.

Winthrop listened to the words which condemned him to a life inside prison walls for the rest of his days with hardly a perceptible movement of the face or body. He seemed to gulp at the words "for the rest of your natural life" came from Judge Wallace's lips, and his mouth twitched a little, but that was all. The man, who appears to have no humane feelings or conscience whatever, seemed to take pride in appearing hardened.

When Judge Wallace took his seat at the opening of court yesterday morning the room was crowded in main floor and gallery both. Nearly all present were men, but the heads of half a dozen or so women peered around from behind the men's shoulders, trying to get a peep at the judge and the prisoner. The crowd was generally orderly, but it showed the interest felt in the remarkable kidnaping case, the facts of which, when first published exclusively in the Chronicle seemed almost incredible.

When the Winthrop case was called by Judge Wallace at 10:30 o'clock, Attorney Bell arose and asked for a continuance of the case, as he desired to present some matters to the court before sentence was passed.

Judge Wallace asked for the attorney's ground for his request. Bell replied:

"On the ground of newly discovered evidence. This evidence will impeach the testimony of one of the important witnesses for the prosecution. Unghart testified that he was never convicted of felony. We have sent for records to prove that he was, and they have not reached here yet. I am prepared to make a motion for a new trial now, but I do not wish to do so until I procure the record."

District Attorney Barnes said: "I oppose a continuance, as the matter of which Mr. Bell speaks is not newly discovered evidence. It was in his possession at the time of the trial. Besides, it is not material to the defendant, as it seeks only to impeach a witness on a purely collateral matter."

He replied: "When I learned of the matter during the trial I had no evidence of it in hand. I ask for little. I only want a reasonable time."

Judge Wallace said: "This is not an important matter in this case. It tends only to impeach a witness. The jury had the whole matter before them to consider it as they chose. It is not to be expected that any different result would follow even had Unghart been impeached. The questions put to Unghart pointed to that as a ground for a motion for a new trial or for a continuance. I will have to deny it."

Attorney Bell then changed his tactics and said: "Then I want time to show misconduct on the part of one or more of the jurors."

But Judge Wallace denied all his applications, even going so far as to have his words put in the record.

Turning to Winthrop, the judge said to him that he was accused of having committed a crime in robbing James Campbell. He went on to rehearse the story of the kidnaping, the trial, the conviction, and asked him if he had anything to say why sentence should not be passed on him.

Winthrop had been standing up in the court and he made a little outstretched and his hands were raised in a gesture of appeal. He was looking at the judge and looking well and in good condition. He did not move a muscle until the judge asked the question. Then he brightened up and said "I have in clear terms."

He interrupted, saying: "At this time I desire to move for a new trial on the ground that the jury was not sworn, and I ask time to present affidavits as before."

Judge Wallace again denied Bell's motion and asked him to state his grounds. Bell made a further plea, but Judge Wallace was not to be influenced by any of the attorney's statements, and turning to Winthrop again Judge Wallace asked him what he had to say that sentence should not be pronounced against him.

Winthrop replied sharply and distinctly: "In the first place, before being ever arraigned, I was tried, convicted and sentenced by the newspapers. In the second place, I came into this court room and I saw that I was not to have a fair trial. The District Attorney told the jurors that they were not to administer justice unless they found me guilty. They were bullied into reaching their verdict."

"After I was arrested I was persecuted to the full extent of the police department's power. Every time a friend of mine came to see me a minion of the law was put on his track. One of my friends was even taken into custody."

"When I was brought into the court room I was pleased to be tried by your honor on account of the reputation you have for dealing out justice according to your own judgment. (The crowd snickered and little laughs were heard, as if people believed Winthrop was trying to flatter the judge, but they became silent again as he continued.) However, when you set my case for trial two days later I think that was unjust. When that gray-haired old man was on the stand yesterday I will say no more on that point."

"All I have to say is that I am not guilty, and this will be proved by my testimony. I am a poor man. I had no money to hire up evidence. My wife went around the best she could, but not having evidence in that kind of work, of course she could not do much. I believe that in a few days testimonies will be here to prove my innocence."

Judge Wallace began his statement by referring charges and explaining different statements made by Winthrop. He said that the case had not been rushed through, that plenty of time had been given the defendant, and that nothing was said at the time of the trial that it had been brought on in haste. He said he did not believe what the District Attorney had said at any time was sufficient to cause the jurors to put aside their im-

portant functions, but if it was so, the jury system ought to be abolished. He continued:

"Upon the whole I deny the motion for a new trial, and upon this matter the sentence of this court is that you be imprisoned in the prison at San Quentin, State of California, for and during the term of your natural life."

A sudden murmur arose from 200 or 300 throats. At first it sounded as if a surprise was going through the crowd, but it ended in a subdued "Ah-h" before the gavel of the bailiff could restore order. Winthrop was nearly unmoved. His mouth twitched a little and he made two or three swallowing motions, as if the words of the judge were hard to take, but there was no change of color in his face. He was taken into the custody of the sheriff immediately and removed from the room.

James Campbell did not come up from San Jose to see his robber sentenced. Captain Lees was as stolid as ever, but when the sentence was pronounced he turned to give a significant look to Detective John Curtin that showed satisfaction at having landed inside San Quentin a man whom he considers one of the most dangerous criminals of modern San Francisco.

District Attorney Barnes was congratulated by his father, General Barnes, and Assistant District Attorney Black was also complimented. There were a large number of attorneys and officials present at the closing scenes of Winthrop's case. The crime was committed August 24, and seven weeks later to a day sentence was pronounced.

Attorney Bell and Quitow, as soon as Judge Wallace disposed of the case and called another, prepared a writ of probable cause and asked Judge Wallace to sign it. This he refused to do, considering there was no probable cause for his granting a new trial. When the attorneys were balked in their attempt to get a stay of proceedings in the Superior Court they went to Chief Justice of the Supreme Court. After hearing their representations Beatty granted a stay of proceedings for ten days, which time they will have to prepare their appeal for a new trial.

Attorney Quitow was very indignant yesterday. He said that Judge Wallace had acted arbitrarily and had deprived Winthrop of his legal rights, which would be obtained before the Supreme Court. He also argued that Judge Wallace had not the right to sentence Winthrop to life imprisonment, claiming that as the Code said that the sentence in such cases should be "for not less than one year," the judge should have stated a specified time, such as five years, or sixty years, or whatever he chose.

Other attorneys differ, but many say there would be less chance of Winthrop getting a pardon had he been given a term of fifty years, which would virtually be for life, than for life imprisonment itself.

### AN INDESCRIBABLE SENSATION.

To be easily described a thing must have clear outlines and unmixed colors. In other words it must be simple. A rent in one's clothing, a boil on one's body, a tumble while walking, the shape of a box, etc., are easily set forth in words. On the contrary, the complex and comprehensive things puzzle the mind and take the meaning from language.

It was for this reason that Miss Sabina Mitchell, alluding to an experience of illness, says: "At this time there came upon me an indescribable sensation. It was as if the powers of life were going to fail me and I should sink down without help, as a stone sinks in water. Yet in saying this I convey no adequate idea of the nature of that feeling. I hope I shall never have it again. The illness which led to it began in the spring of 1892. My health appeared to give way all at once. I found myself tired, heavy, and feeble. My appetite was poor, and after eating I had much distress at the stomach and pain at the chest and sides. My strength gradually declined and I became very low, weak, and nervous; and it was when in this condition that I felt the indescribable sensation I have spoken of."

"I soon became so depressed in body and mind that it was with great labor and strain that I attended to my business. I was extremely downhearted and feeble, and none of the many medicines I tried did me any good. In December, 1892, Mother Seigel's Syrup was recommended to me, and I began using it with, I confess, small confidence. But after having taken it for a few days I felt wonderful relief. My appetite improved and eating no longer gave me pain. A short time afterwards the Syrup proved its value in the matter of my disordered nerves. The nervousness disappeared with my increasing strength. Nowadays when I need any medicine a few doses of Mother Seigel's Syrup quickly set me right. Having had so convincing an experience of what it can do, I recommend it to all my friends and customers. You can make any use you like of this letter. (Signed) (Miss) Sabina Mitchell, March 1st, Fen, Boston, Lines, May 17th, 1895."

"In March, 1892," writes another lady, "my health began to give way. I had lost my energy and was languid and heavy in feeling. I had a sense of faintness and dizziness that was almost constant, and occasional spells of sinking which I cannot describe. Hot and cold flashes came over me, my mouth tasted badly, and after eating I had a feeling at the chest like the pressure of an actual load upon it. I never seemed rested, and awoke in the morning more tired than when I went to bed. I was also much troubled with wind or gas from the stomach, and raised a sour, biting fluid."

"In this manner I continued to suffer for nearly two years, no medicine that I took giving me any relief. In January, 1894, I got a small book and read in it of cases like mine having been cured by Mother Seigel's Curative Syrup. I immediately procured the medicine from Boots' Drug Stores, and after taking it about ten days felt much better. I could eat something nourishing without any pain following. I kept on with the Syrup and was soon in my former good health once more. You have my permission to make this statement public. (Signed) (Mrs.) Ann Shaw, 174, Barnsley Road, Batamoor, Sheffield, March 8th, 1895."

"Touching the 'indescribable sensation' alluded to by both ladies, an eminent medical author says: 'It is syncope without the loss of consciousness. The sufferer has the keenest realization of the bitterness of dissolution. I have seen stalwart men unnerfed and shaken by such experiences till they trembled like aspen leaves.'"

The cause is an acid poison in the blood produced by indigestion of dyspepsia. The remedy is to purify the blood with Mother Seigel's Syrup, and to tone the stomach in the same way. Use the Syrup on the approach of the earliest signs of weakness.

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Highest Honors—World's Fair.  
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**PRICE'S**  
CREAM  
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A Pure Grape Cream of Tartar Powder.

40 Years the Standard.

LEWIS & CO.,

Agents, Honolulu, H. I.

A Cook Book Free.

"Table and Kitchen" is the title of a new cook book published by the Price Baking Powder Company, Chicago. Just at this time it will be sent free if you write a postal mentioning the Hawaiian Gazette or Advertiser. This book has been tried by ourselves and is one of the very best of its kind. Besides containing over 400 receipts for all kinds of pastry and home cookery, there are many hints for the table and kitchen, showing how to set a table, how to enter the dining room, etc.; a hundred and one hints in every branch of the culinary art. Cookery of the very finest and richest as well as of the most economical and home like is provided for. Remember "Table and Kitchen" will be sent, postage prepaid, to any lady sending her address (name, town and State) plainly given. A copy in German or Scandinavian will be sent if desired. Postal card is as good as letter. Address Price Baking Powder Co., Chicago, Ill.

Passports Issued.

Mrs. Langley and child, J. A. Rodrigues, Capt. John Good Jr., Boniface Schaefer, A. F. Afong, Mr. and Mrs. A. Brown, J. W. Sanderson, M. Texeira, Mrs. Wray Taylor and child, W. E. Barry, all for the Australia.

• Pain in the chest is nature's warning that pneumonia is threatened. Dampen a piece of flannel with Chamberlain's Pain Balm and bind over the seat of pain, and another on the back between the shoulders, and prompt relief will follow. Sold by all druggists and dealers. Benson, Smith & Co., agents for the Hawaiian Islands.

## Bad Men

Cannot steal your door mats if you use our Hartman Steel Wire Mats. They never wear out, and are handy to have in the house, especially in rainy weather; which last remark reminds us that we have a line of Rain Gauges which will be of service to you at this time of the year.

Do you ever eat

### HASH?

Perhaps you do and don't know it. You see it's sometimes made into croquettes. We handle a splendid Meat and Vegetable Chopper, which operates by a crank and walking-beam attachment, the knives chopping and revolving the food so as to mince it properly.

You can own a Shoe Stand without being a bootblack. We have a serviceable, useful article that screws to the wall and has compartments for brushes and blacking, with foot-rest projection.

Does your daughter like pets? Yes! Then she undoubtedly would prefer a canary, in one of our Brass Bird Cages, to reed birds on a chafing dish. We have three sizes of cages, and sell them from \$2.50 to \$4.50, as well as painted wire cages from \$1.25 to \$2. Get one, and your canary will say the same as we do, that they are "Cheap!" "Cheap!"

The Hawaiian Hardware Co.

## E. O. HALL & SON,

Limited.

Have Just Received from New York  
and England a fine lot of

## New Goods

Among them you will find:

CUT AND GALVANIZED NAILS and SPIKES, WIRE NAILS, COPPER RIVETS and BURS, HAY CUTTERS, HAY FORKS, CYLINDER CHURNS, SHOVELS and SPADES, CAST STEEL, BAR IRON, GALV'D SHEET IRON, GALV'D BUCKETS and TUBS, CART AXLES, DOOR LOCKS, HANDLED AXES and HATCHETS, IRON and BRASS SCREWS (2000 gross, assorted).

COFFEE MILLS, CORN MILLS, BLACK RIVETS, HINGES, LAWN MOWERS, HORSE SHOES and HORSE NAILS, MOPS, BROOMS, PADLOCKS, CROWBARS, CARRIAGE SPRINGS, SCALES, SAND PAPER, WRAPPING PAPER, WHEEL BARROWS, TRUCKS, 3000 YDS. SAIL DUCK, IRON WASHERS, IRON NUTS, CASES BENZINE, TURPENTINE, GALV'D PIPE, 1/2 in. to 2 in., MANILA and SISAL ROPE—All sizes, IRON and STEEL WIRE ROPE, up to 2 in., 2000 lbs. COTTON FISH LINES, CARD MATCHES, BLOCK MATCHES

### SHIP CHANDLERY,

GUNS and AMMUNITION of all kinds.

### Success Water Filters:

The best in the market, and a thousand other things that people MUST HAVE.

All to be seen at—

E. O. HALL & SON'S,  
Cor. King and Fort Sts.

## Art Goods.

The demand for colors, both water and oil is the surest indication of a refined taste among the ladies of the Islands. We are in a position to supply the demand!

A full supply of colors, brushes, oils, varnish and canvas always on hand.

Picture framing, satisfactory picture framing, is due largely to the taste displayed in the selection of mouldings that will harmonize with the picture. We have the taste and mouldings. Let us give you a suggestion.

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Are the Best,

IN THE ESSENTIAL QUALITIES OF  
Durability, Evenness of  
Point, and Workmanship.

The Leading Commercial and School Pens in United States. Established 1860. Sold by all Stationers in Hawaiian Ids.



## THE COMMODITY TAKES A TUMBLE

Williams, Dimond & Co.'s Circular on Sugar Question.

### CARGOES ARRIVE IN NEW YORK

Best Crops in California—Recent Pains May Affect Them—The Industry Growing Rapidly—New Factory in New Mexico—Another in Utah—State of Market in Cereals.

**SUGAR.**—We have no change to note in the prices of refined in the local market or for export and the price list of the Western Sugar Refining Company of July 27th, is still in force, which we quote as follows:

Cube, crushed and fine crushed, 5 7-8c; powdered, 5 3-4c; dry granulated, 4 3-4c; confectioners' A, 4 3-4c; magnolia A, 4 3-8c; extra C, 4 1-4c; golden C, 4 1-8c.

These prices are subject to the usual rebate of 1-8c. per pound. We quote price for export at 4 1-2c. net cash for granulated.

The local market for refined has not ruled active and the buyers are supplying their requirements only for the near future. Packers and canners for their own consumption obtain a still further rebate from net prices quoted by the refinery.

Best granulated is being marketed at 1-8c. per pound below refinery net prices and at this difference the stock is moving quite freely. It has been estimated that the three factories in this state will produce during this campaign from 25,000 to 25,000 tons of sugar, but we have recently had light rains, which may prove detrimental to the beets now in the fields. Whether any injury has thus far been done, it is yet uncertain but a further continuance will certainly reduce the percentage in the beets very materially.

Contracts have recently been made in the East to the amount of \$300,000 for machinery for the Alamogordo Sugar Co. of Alamogordo, Cal. which place is situated near Los Angeles. This company will make sugar from beets and expects to be ready for next year's campaign. Capacity, 400 tons beets per day.

A new Beet Sugar factory is also building in New Mexico and we understand that another factory will be erected shortly in Utah.

**HARLS.**—Continued at 3 1-16c. net until September 1st; declined on that date to 3c. net on the 17th inst. to 2 25-32c. net, 18th to 2 3-4c. net, and 19th no change.

The following sales have been reported, September 1st, spot 4000 bags at 2 1-4c. 8th, spot 800 bags at 3 1-4c. 17th, spot 1500 tons at 3 1-32c. 18th, to arrive, 3700 tons at 3c.

**EASTERN AND FOREIGN MARKETS.**—The general situation in the East has not improved since our last circular, but instead prices of raws have further declined. The market as a rule has been without animation and the business in raw sugars unusually small for this time of year.

Refined sugars, however, have been maintained at former figures, viz: 4 1-4c. for granulated, which is considerably above the parity of the raw market.

The demand for refined has been good, but no doubt the distribution would be much larger, were prices put on a level corresponding more nearly to their relative value to raws.

The European market has also exhibited dullness and has continued to fluctuate moderately according to weather reports. Root tests. Cuban news, etc.

London quotations for beet 88 per cent. test have ruled as follows since our last circular: August 29th, 9s 2 1-4d; 31st, 8s; September 1st, 8s 10 1-2d; 3d, 9s; 4th, 8s 11 1-4d; 5th, 8s 10 1-2d; 8th, 8s 11 1-4d; 9th, 8s 10 1-2d; 10th, 8s 11 1-4d; 11th, 9s; 12th, 8s 11 1-4d; 14th, 8s 10 1-2d; 15th, 8s 9 3-4d, and no change since.

According to late mail advices from London the growing German crop requires more duty heat while some French districts complain of want of moisture and are not at all sanguine about exceptional results. The same may be said of Belgium. From Russia no complaints are made, though last year's results must be considered exceptional.

We quote from Messrs. Czarnikow & Co.'s latest circular received here of September 3th, as follows:

The satisfactory crop accounts from Germany, in conjunction with the still large visible supplies, caused values to decline at one time to 8s 10 1-2d, and new crop October-December to 9s 1 1-4d. Yesterday, less favorable weather reports gave a certain firmness to the market, and prices recovered about 1 1-2d per cwt., but the trade and speculators continue reluctant to operate, and as the latter have still engagements open in new crop sugar, their hesitation, even at the present level of values is, after past events, not surprising. So far, not much importance is ascribed to the weather now prevailing abroad, but it will be eagerly watched during the next six weeks, on which depends the realization of present prospects.

In the meantime, supplies in the hands of dealers are being steadily diminished, and we ought soon to see more disposition on their part to cover present and prospective requirements. For America, too, there seems to be some chance of an improvement in the general condition of trade as soon as the pending election of a new President, and with it a settlement of currency and fiscal questions, are over. Some moderate purchases for the United States have been made during the week, but for the moment no further orders have come to hand.

The German factories have been less eager sellers at the lower values, but re-sales of second-hand holders and bear operations hastened a decline to prices which tempted even producers

In France, Belgium, etc., to buy back, and which with the outlook in Cuba and some other Colonies must be considered moderate; such values are not likely to cause increase in sowings or planting next year, whilst consumption may have a chance to reduce our old stocks to normal proportions.

The American Cuban stocks are 15,000 tons up, against 33,000 tons down, whilst the Hamburg stock decreased 25,000 instead of 6,000 tons.

The troubles in the Philippine Islands are apparently more serious than acknowledged by Spain, and should they spread, they may have some bearing on the Manila sugar crop.

The accounts from Cuba continue very bad, and in some quarters the opinion is expressed that the coming sugar crop is not likely to reach this year's figure.

Business on the spot in cane sugar has again been insignificant; the few sales of grocery crystallized show a further decline of about 3d per cwt., while there is no demand for refining grades.

Our late mail advices from New York of September 15th state that the market for raw sugar does not show any particularly interesting features and no new developments. Refiners show indifference about purchasing and values are considered entirely nominal on the basis of 3 1-8c. for 96 per cent. test centrifugals and 2 3-4c. for 89 per cent. test muscovados and 2 1-2c. for 89 per cent. test molasses sugars. Spot foreign granulated quoted nominally at 4 1-8c. for medium German, 4 1-4c. for fine German, 4 1-4c. to 4 3-8c. for Dutch on spot and to arrive.

Private cables do not give any information calculated to throw new light on the situation and have reported business dull in London.

London cable of above date quotes Java No. 15 D. S. at 10s 9d, Fair Refining 8s 6d, Beet, September 10 1-2d, October 9s 1 1-2d, First Marks German Granulated 10s 9d f.o.b. Hamburg, equal to 3 3-8c. net cash delivered New York duty paid.

Latest mail advices from New York of September 16th, state that holders are not disposed to meet buyers' views which are 2c. for centrifugals and 2 3-4c. for muscovados, and referring to previous sale of cargo of Javas on the 11th inst. to which we have referred previously in our mail advices state that this is now supposed to have been sold at 2c. for 96 per cent. test, and there is a rumor that another cargo has been sold from store also at 2c. but without confirmation.

There are two cargoes of Javas at the Breakwater one coming to a refiner and the other will be stored. The above sale is being further investigated and should it prove correct the basis for island sugars on the 11th inst. would be 2 3-4c. net instead of as previously advised.

Stock of sugar at four ports U. S. on above date, 292,103 tons against 214,021 tons same time last year. Stock at six principal ports of Cuba by cable same date, 31,800 tons against 212,199 tons same time last year. Total stock in all the principal countries at latest uneven date, September 10th, 1,373,049 tons against 1,549,541 tons at same time last year.

**FLOUR.**—G. G. Ex. Family 3.50; 4.50 Dorado 2.65 per bbl. f.o.b. Crown 3.45 per bbl. f.o.b.

**BRAN.**—Fine 11.50; coarse 12.00 per ton f.o.b.

**MIDDLINGS.**—Ordinary 16.50; choice 17.50 per ton f.o.b.

**BARLEY.**—No. 1 feed 67 1-2c. per cwt. f.o.b.; gr. or rolled 14.00 per ton f.o.b.

**OATS.**—Fair 90c.; choice 95c.; surplus 1.05 per cwt. f.o.b.

**WHEAT.**—Chicken 1.05; milling 1.10 per cwt. f.o.b.

**CORN.**—S. Y. 90c. per cwt. f.o.b.

**HAY.**—Wheat comp. 10.50; large bales 11.50 per ton f.o.b. Oat comp. 9.00; large bales 10.00 per ton f.o.b.

**LIME.**—90c. \$81.00 per bbl.

**CHARTERS.**—With a steady improvement in consuming markets for wheat, freights have gradually improved since our last, and transactions have been on a liberal scale both spot and to arrive. Last charter a handy spot from 31s 2d orders net, and the only disengaged vessel in port is held at 32s 6d orders. Considerable tonnage is due. To arrive, business has been done at 27s 6d and 28s 9d orders as to size and position. Steamers engagements continue at 28s 9d orders.

Lumber business continues dull without material change in quotations.

**EXCHANGE.**—London 60 days, \$4.82 (\$4.83); sight \$4.84 1-4 \$4.84 3-4. New York regular, .05c. Telegraphic, .06c.

**WILLIAMS, DIMOND & CO.**

A few weeks ago the editor was taken with a very severe cold that caused him to be in a most miserable condition. It was undoubtedly a bad case of la grippe and recognizing it as dangerous he took immediate steps to bring about a speedy cure. From the advertisement of Chamberlain's Cough Remedy and the many good recommendations included therein, we concluded to make a first trial of the medicine. To say that it was satisfactory in its results is putting it very mildly. Indeed, it acted like magic and the result was a speedy and permanent cure. We have no hesitancy in recommending this excellent Cough Remedy to any one afflicted with a cough or cold in any form.—*The Banner of Liberty*, Libertytown, Maryland. The 25 and 50 cent sizes for sale by all druggists and dealers. Benson, Smith & Co., agents for the Hawaiian Islands.

**SAN FRANCISCO, Sept. 8.**—The steel steamer St. Paul was sold for \$25 at auction yesterday. Captain Johnson, the pilot who was on the bridge of the steamer New York when she ran on the rocks at Point Bonita, is now her owner. He was the only bidder and he said his purpose in buying her was to break her up and sell her for junk. A few days ago the steamer could have had scores of buyers at \$25,000, but through an error of her commander she went on the rocks at Point Pinos and her value suddenly dropped to \$25. Captain Johnson expects to make a handsome profit. The vessel contains all her engines and other machinery and it is all in good condition. The only difficulty he will encounter will be in getting a lighter alongside the vessel. The steamer is in shallow water with sharp rocks reaching almost to the surface surrounding her.

## HEALTH MATTERS WERE DISCUSSED.

Sanitary Condition of the Islands Under Consideration.

### APPLICATIONS BEFORE THE BOARD

Petition From Chinese Physicians—Mother's Strange Request Regarding Her Child. Damages From Cholera Visitation—The Wailuku Hospital—New Appointment.

Board of Health met at 3 p. m. Present, W. O. Smith, president, Drs. Wood, Day and Emerson, Messrs. Lansing and Kelipilo.

The minutes of the previous meeting were read and approved. The first matter brought before the Board was a request from Lee Kai Fai, a Chinaman, and his wife, for license to practice medicine. A certificate from Dr. Kerr, medical examiner at Hong Kong, was to the effect that petitioner was a practitioner of good standing in Hong Kong.

Another petition from certain taxpayers in Honolulu, praying that request be granted, was read. The petitions were referred to the Board of Examiners.

The committee to whom was referred the tender of drugs reported favorably on the bid, and the contract was awarded to the Hollister Drug Co.

A verbal request from the wife of a leper to send her only child, a girl twelve years of age, to the Kapiolani Home for girls, was read. This request was considered a peculiar one and was opposed by several members of the Board and peremptorily denied.

Petition of Kinau, a property owner in the cholera district of last year, for permission to occupy one of his dwellings and rent the others was read.

President Smith stated that these houses were condemned last year and had not been occupied since. Kinau, the petitioner, is a man who is really poor and unable to earn a livelihood, and asks to be allowed to rent two of the dwellings and occupy one.

The Board has been paying his rent for a year past, but he needed something more than that. The president stated that the land is a marsh spot, but that he did not believe the place was unhealthy. The place was condemned in order that excrement would not get into the harbor and contaminate it.

Dr. Wood said with the use of dry earth closets there might not be any harm, but to let the people live there and dig a vault under the house would mean danger.

The request was referred to the Sanitary Committee to report next week. Dr. Monsarrat reported 142 bullocks killed and examined.

Under the Act to Mitigate, sixty-three women were reported examined during the week. One German taken from the register at her own request.

Dr. Hillebrand reported examination of 787 female pupils in the schools, and to issuing certificates to them.

Letters and reports of Dr. Meyers regarding the condition of affairs at the settlement were read by the president and his recommendations were carried out.

Dr. R. B. Williams of Hilo reported the examination of school children and issuing certificates. He mentioned reading in the Gazette that R. A. Layman had recommended him to the position of registrar of births and marriages.

He declared this was unauthorized and he resented it. He had no time to attend to births, deaths or marriages.

The Letters of Education reported that there was no Government physician in the district of Hanalei, and that the orders of the Board of Health regarding the examination of school children could not be carried out. It was decided by the Board to offer Dr. Brown, now at Kealia, the position at Hanalei.

On motion of Dr. Emerson, Sheriff Andrews of Maui was appointed an agent of the Board to confer with the matron of the hospital at Wailuku regarding the business and financial matters of that institution. This is the same position occupied by the late Sheriff Everett, and since his death no one had been appointed to succeed him.

A request from Sheriff Andrews, asking permission to sell the delapidated pest house at Wailuku to Jose Juan for \$25 was read and the request was granted.

The following communication was read by President Smith:

No. 219 West Fourth Street, New York, U. S. A., Sept. 12, 1896. President W. O. Smith, Board of Health, Honolulu, Hawaii.

Dear Sir—Dr. Goldschmidt, late of Madeline, now at Paris, in a letter to me, last December, proposed that a Congress of Leprologists should be held for the suppression and prevention of leprosy. In a letter I wrote to Dr. Armauer Hansen, I referred to this proposition and suggested the formation of an international committee, one delegate from each government, to be permanently active, to meet once a year, and to take cognizance of all questions and problems relating to leprosy, all over the world. I also suggested the collection of a fund, in every country, for the use of this committee, to support asylums, where such help is wanted, and to send specialists wherever they are needed. Dr. Hansen, at once received these overtures with favor and submitted them to his chief, who in turn, communicated them to the Norwegian Government. In his answer to me Dr. Hansen said that it was the desire of the Norwegian physicians that the seat of the first leprosy congress should be Bergen, Norway, and that the Norwegian Government was willing to issue the call for the first leprosy congress, provided it had assurances of sympathy from other governments. I at once applied to President Cleveland, to Her Majesty, to the Emperor of Germany, to President Diaz of Mexico, to Lord Aberdeen of Canada, to the Japanese and Chinese Governments, and to all the

Republics of South America. I also submitted this scheme to the American Leprologists Association, to the American Public Health Association of Canada, the United States and Mexico, and to Miss Clara Barton, the President of the American Red Cross Society. It is to be communicated also to the Pope through Archbishop Corrigan. It is desired that every influence that may exist, of any kind, be brought to bear upon the different governments so that they may consent to appoint official delegates. Of course leprologists in their private capacity, or as representatives of associations, will be united, and are expected to attend. The committee, formed by the delegates, will be exclusively concerned with the publication and application of laws suitable to the suppression and prevention of leprosy in each country, leaving the discussion of questions of etiology, bacteriology cure, etc., to the specialists. This is the plan as it stands now, and as it was submitted by me to Dr. Goldschmidt. Dr. Goldschmidt, in his reply, has suggested that Moscow be the seat of congress, as the International Congress is to meet there next year. This is open to the following objections: 1st.—If the leprosy congress is held in Moscow, along with the regular International Congress, it will of necessity fall into position of secondary influence, and will be in fact only a section of the General Congress. 2nd.—Hansen is entitled to claim the first leprosy congress; he being the discover of the lepro bacillus. 3rd.—The Norwegian Government having been the first to express a willingness to issue the call (which should be issued by a government, not by individuals), is entitled to the honor. 4th.—If the congress is now taken to Moscow, after the Norwegian physicians have expressed a desire to have it in Norway, before even Moscow was suggested, the Norwegian physicians will certainly take offence; a leprosy congress without Hansen cannot well be imagined.

Will you kindly publish this letter and ask the leprologists of Hawaii to communicate to the Provisional Committee of the Congress as it exists: Dr. G. Armauer Hansen, Bergen, Norway; Dr. Jules Goldschmidt, 4 Rue Danman, Paris, France; Dr. Albert S. Ashmead, West Fourth St., New York, their own ideas about this great scheme, and to offer such suggestions as may help to advance it. May we hope also that you will use your own influence to obtain from your government as assurance of its willingness to appoint a delegate and help to make the first leprosy congress a success.

Very truly yours,  
ALBERT S. ASHMEAD, M.D.

The matter was referred to committee on treatment of leprosy. A letter from Dr. Eldridge was read regarding the charges for hotel accommodations and medical examination at Kusatsu Mineral Springs, Japan. This is a place where foreigners and Japanese are treated for leprosy and skin diseases. When Dr. Wood was at the Springs he obtained samples of the water, which he brought here. As it is considered an important matter, Dr. Wood was to procure a chemical analysis of it.

**Regatta Committee.**

The Regatta Committee wish to extend their thanks to the Judges, Starter and Time-keeper for their services on Regatta Day; to Captain Campbell for his kindness in extending the use of anchors, and the Judges' stand; to Messrs. J. A. Hassinger, C. P. Iaukea, Captain Campbell and T. J. King for their service on the subscription lists; to Minister Cooper for the use of the band; to Minister King for the use of the tug in laying buoys; to the general public for their generous subscriptions and attendance.

Subscriptions ..... \$742  
Disbursements.....  
Purses awarded in cash.....\$460  
Expense ..... 155 \$655

Balance in hand..... \$ 87  
W. E. WALL,  
DAVID KAWANAKOIA,  
W. C. PARKE,  
Regatta Committee of the Hawaiian Rowing Association.

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FROM FOREIGN  
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**Clothing, Underwear, Shawls,**

Blankets, Quilts, Towels, Table Covers, Napkins, Handkerchiefs, Gloves, Hosiery, Hats, Umbrellas, Rugs and Carpets, Ribbons, Laces and Embroideries, Cutlery, Perfumery, Soaps, Etc.

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Vienna and Iron Garden Furniture, Reichenstein & Seiler Pianos, Iron Bedsteads, Etc., Etc.

American and European Groceries, Liquors, Beers and Mineral Waters, Oils and Paints, Cautic Soda, Sugar, Rice and Cabbages.

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Sheet Zinc, Sheet Lead, Plain Galvanized Iron (best and 3d best), Galvanized Corrugated Iron, Steel Rails (18 and 20), Railroad Bolts, Spikes and Fishplates.

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THE GREAT BLOOD PURIFIER & RESTORER

For cleansing and clearing the blood from all impurities, it cannot be too highly recommended.

It Cures Old Sores.

Cures Ulcerated Sores on the Neck.

Cures Blackheads or Pimples on the Face.

Cures Scoury Sores.

Cures Cancerous Ulcers.

Cures Blood and Skin Diseases.

Cures Glandular swellings.

Clears the Blood from all Impure Matter.

From whatever cause arising.

As this mixture is pleasant to the taste, and warranted free from anything injurious to the most delicate constitution of either sex, the Proprietors solicit sufferers to give it a trial to test its value.

**THOUSANDS OF TESTIMONIALS**

From All Parts of the World.

Sold in Bottles 2s. 6d., and in cases containing six times the quantity, 11s. each—sufficient to effect a permanent cure in the great majority of long-standing cases. BY ALL CHEMISTS and PATENT MEDICINE VENDORS THROUGHOUT THE WORLD. Proprietors, THE LINCOLN AND MIDLAND COUNTIES DRUG COMPANY, LINCOLN, ENGLAND.

**Caution.**—Ask for Clarke's Blood Mixture, and beware of worthless imitations or substitutes.



## PROF. BRIGHAM'S AQUARIUM PLANS.

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A Fortune for Science—Students Will Come  
From All Parts of the World—Selection of  
a Site—Opportunity for the Public to Study  
Marine Life—Fish Growing in Tanks.

Prof. W. T. Brigham, curator of the Bishop Museum, returned by the Alameda on Thursday from a tour of the world which he made for the purpose of visiting every known museum where it would be possible to find collections of curios from the islands of the Pacific generally and the Hawaiian Islands particularly. Incidentally Prof. Brigham inspected the aquariums of the world for the purpose of procuring estimates to submit to Hon. Charles R. Bishop whose devotion to the educational interests of Hawaii is such that he has expressed a desire to add to his magnificent collection the largest and best equipped aquarium in the world.

Prof. Brigham was seen by an Advertiser reporter at his cozy home yesterday. He is the picture of health, having been greatly benefited physically by his tour, and was willing to talk. Speaking of the enormity of the enterprise, he said:

"Yes! I have asked Mr. Bishop for \$500,000, and he says I am an 'extravagant beggar'—he always says that when I hand him an estimate and usually ends up when it is over by saying 'Brigham, it could not have been done for a dollar less.' It seems like a large sum, but it is less than Mr. Bishop gave last year for educational purposes in Hawaii, and I am reasonably certain that he will give me what I want for the aquarium."

"An institution such as I want will be a greater advertisement for Hawaii than all the pamphlets or political speeches that were ever printed or delivered. When I was in Naples and told them of my plans one of the prominent men said, 'You must be a wonderful country to contemplate such a thing as that; it will be the greatest place of the kind in the world. Hawaii must have a stable government or you would not undertake such a thing.'"

But the government will have no control on the aquarium, Professor.

"None whatever, but no one man or a collection of men would put three quarters of a million dollars into an institution like this aquarium will be if the country is to be in a tumult all the time."

How do you propose using the amount named as necessary for the work?

"I will do nothing without a fund of a half million to carry on the work. The buildings as I estimate them, if they are built of material other than stone will cost \$60,000, the rest of the fund will be for interior fixtures and appliances. Then, too, there will be a powerful engine for pumping the water and reservoirs for keeping a supply of pure water for use when a storm happens along and stirs up the mud and water in the sea and puts it in a condition unfit for use in the tanks."

"Just now the most difficult thing to solve is the problem of location. We need a place convenient to the beach so that the water may be readily pumped up into the building and so our launch may come to a pier which must be built out from the shore. I was in hopes that Mr. Bishop's property at Waikiki would be available, but that has been turned over to the trustees of the Bishop estate and cannot be had. We may have to go out by the park if land can be had. In that case a channel will have to be cut through the coral reef, and that I will expect the government to do with the dredger. We must have a place wide enough—twenty feet will be plenty, to permit the launch to pass in and out. I have selected the launch, a Herreshoff of the latest pattern. This will be used by the professors and students in dredging expeditions; then there will be the launch which will act as tenders on these trips. And to carry on these and maintain a corps of competent scientific men money will be needed and that is what I want this permanent fund of \$500,000 for."

"We must get these men from the best of similar institutions in the United States and Europe. To get their services we must be able to show them that we have the means to pay them. I was told in Naples that we need have no fear regarding the students, we can get all we can accommodate, they will come from all parts of the world and take tables and pursue their studies. By a table I mean a room fitted up with a number of glass tanks, shelves for a library and with other accessories. Here one may study sea life and have greater privacy than could be had in his own home; visitors are never admitted to these 'tables.' The glass jars or tanks contain a number of one species each. There will be the Crustaceans, the Mollusks and the Radiates, for instance. A student may want to study crab life from the very beginning to the end, and he can do it here to his heart's content and without interference. I had to smile in Naples when the head of the greatest aquarium in the world conducted me through the various departments and tendered his apologies for intruding upon the gentlemen who occupied the tables—apologized not only for taking me into the rooms, but for going in himself. The aquarium here, when established, will be conducted on the same plan as that in Naples, or the one at Woods Holl, in Massachusetts. Where neces-

sary, improvements on them will be made.

"Another item of expense will be the library devoted to books on marine life. I have already started a nucleus, for when away I secured some valuable works. Another thing I purchased and which with the books I bought will be used in the Bishop Museum until the aquarium is ready, is a magnificent microscope, the best that could be obtained in all Europe, and one which was exhibited at Berlin. With it I can make a cholera bacillus appear as big as an eel."

"About the tanks, Professor, will you have them in a position where the fish may be observed by the public?"

"Yes," he replied. "But really I do not care a snap for the exhibition part of it. Naturally the public will wish to visit the aquarium, and arrangements will be made for the people. There will be enormous tanks that will contain hundreds of different species of sea life. Of course care would have to be exercised in the selection of the species; we would not want to put into a tank one of a species that would eat the others up before morning. There is an endless variety of life in the Pacific, and our aim would be to secure a number of specimens of each species. We would not confine ourselves to those found only around the islands, our search would extend all over the Pacific. To accommodate them there must be numberless tanks, even though there are hundreds of varieties. And in the waters around Fiji there is a crab with a body not larger than your hat, and legs six feet long. We may never get a live one, but we will most surely have one of the shells."

"To keep these tanks in order and have the water always at the proper degree of temperature and clean, will require the greatest care. Fresh water must be constantly pumped in, and the fish watched, so that if one should die it will not be allowed to remain in the tank long enough to poison the others. There will be much of interest to professors and students as well as to the general public, and they will have opportunities for viewing what they could not under ordinary, and I may say natural, conditions. It would be interesting, for instance, to see a crab shed its shell and take on a new coat, and still greater to watch the growth of coral. These things will be possible once the aquarium is established, as provisions will be made for keeping some of the tanks supplied with them."

Prof. Brigham is already at work on the plans for the great undertaking, and they will be completed by him from ideas obtained during his visit abroad. Besides the designs for the various buildings, there will be the piping and arrangements for more than a thousand water taps to be used in the large exhibition tanks as well as the smaller ones in the students' rooms.

"There are many things to be considered," said the professor, "and I want the details perfect. I do not think I overlooked any of them, even to the accommodations of the faculty, in my conversation with Mr. Bishop. In Europe the men rent a house and employ a cook and divide the expense pro rata. In the design for the building I included a space for sleeping and dining rooms for the professors, but Mr. Bishop objects to keeping a boarding house. He may think of a better plan, and it will be carried out, but I am sure it will not do for the people connected with the aquarium to live in town and go out to Waikiki to give instruction."

"While away I found some valuable relics of Cook and Vancouver in the museums, valuable because they are without duplicates. Some of them are in Berlin, London and Bern, and quite a number in the British Museum. Except at the latter place I had no difficulty in securing photographs. The trustees and curators of the European museums are liberal, and when they had no photographs they did not hesitate to have them taken. These are of many different articles, including feather helmets different from those we have in the museum. But in London there is the greatest difficulty. If they want to purchase a specimen it requires an Act of Parliament to get the money for it."

"I offered to exchange photograph for photograph of specimens with the curator of the British Museum, but he informed me regretfully that they had none, and no money to pay for having them taken. They were valuable to me and I needed them for the museum here. I was in a quandary what to do until I found one of the young men employed in the museum who had a camera. They arrived on the Alameda and will cost three times as much as I would have to pay for photographs here."

The arrangement in the museums abroad is not to be compared with those at the Bishop Museum. The proper care seems not to have been given to light, so that it is impossible to see the specimens they have there. Thousands are packed away in drawers and the public is refused permission to view them, and even those open to the public are half hidden by dark shadows. The best one I found was the American Museum of Natural History, in New York. There nothing seems to have been neglected that will assist the student in his efforts to master the science of natural history."

Those who believe chronic diarrhoea to be incurable should read what Mr. P. E. Grisham of Gaars Mills, La., has to say on the subject viz: "I have been a sufferer from chronic diarrhoea ever since the war and have tried all kinds of medicines for it. At last I found a remedy that effected a cure and that was Chamberlain's Colic, Cholera and Diarrhoea Remedy. This medicine can always be depended upon for colic, cholera morbus, dysentery and diarrhoea. It is pleasant to take and never fails to effect a cure. 25 and 50 cent sizes for sale by all druggists and dealers. Benson, Smith & Co., agents for the Hawaiian Islands."

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If you are not coming to Honolulu send for patterns and quotations. Your orders will be attended to quite as well as if you selected the articles yourself.

JUST RECEIVED: A complete assortment of French Muslins, French Chals, Black Alpaca, Black and Colored Cashmeres, Serges, Ribbons,

Laces, Flowers, Linen Handkerchiefs, Table Napkins, Linen Damasks—bleached and unbleached, Bedspreads, Blankets and Sheetings.

Also a fine range of Men's Suitings and Trouserings.  
A Single Yard or Article at Wholesale Prices

L. B. KERR, Queen Street, Honolulu.

## Napa Soda, The King of Table Waters,

Is Always Pure, Bright and Sparkling.

EVERY BOTTLE WARRANTED BY THE

## Hollister Drug Co.

Sole Agents for the Islands.

## B. F. Ehlers & Co.

HAVE OPENED UP NEW INVOICES OF

## Silk Waist Patterns,

IN SIX-YARD LENGTHS.

Laces and Embroideries.

## THOMPSON'S "GLOVE-FITTING" CORSETS.

French Organdies and Swiss  
Goods in Dress Lengths.

Give us your name and we will send you a complete assortment of samples.

## JOHN NOTT,

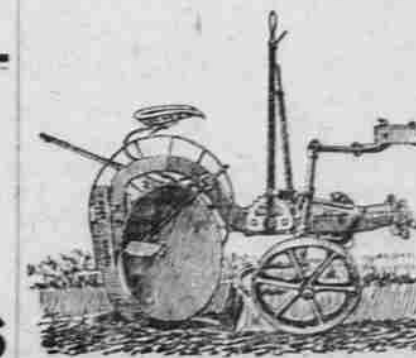


## Wrought Steel Ranges, Chilled Iron Cooking Stoves

HOUSEKEEPING GOODS:

Agate Ware (White, Gray and Nickel-plated), Pumps, Water and Soil Pipes, Water Closets and Urinals, Rubber Hose and Lawn Sprinklers, Bath Tubs and Sinks, O. S. Gutters and Leaders, Sheet Iron Copper, Zinc and Lead, Lead Pipe and Pipe Fittings.

PLUMBING, TIN, COPPER, AND SHEET IRON WORK.  
Diamond Block. 75-79 King Street.



## PACIFIC HARDWARE Co. Limited.

Agents for DEERE & Co.  
The largest Plow manufacturers in the world.

## The "Secretary" Disc Plow

The Secretary Disc Plow is already an established success. A supply is expected at an early day, as also Rice Plows, Breakers, etc., manufactured especially for this country.

## THE VACUUM OILS

The best Lubricants manufactured.

## Picture Mouldings

The latest patterns just received from the factory.

## Slack & Brownlow's Filters

Twenty years' experience has failed to produce so good a water purifier.



## \$100 FOR A STARTER.

Mr. Thurston Wants That New Bicycle Track.

Tells His Good Reasons — Thurston & Stanley Will Also Help.

MR. EDITOR—I see by the papers that there is a proposition on foot to secure a bicycle track on the site near Kawaihau church, now being laid out by Mr. Desky, and that two propositions are being submitted by him, one for a fifty year lease and the other to acquire the fee simple title.

I believe that the use of the bicycle will work more in the interests of good health, good morals and good roads than any one influence that can be brought to bear in the city. One of the drawbacks heretofore to its more extended use has been the lack of a good track close at hand wherein races can be conducted, there stimulating interest in bicycle use.

The site proposed could not be improved upon and it seems to me extremely important that it be availed of and that the fee of the site should be now obtained.

There should be no difficulty in organizing a stock company to obtain the fee of this land, build a track and necessary buildings. Certainly there should not be any difficulty in raising \$6000 for such purpose, which figure is given as that which will probably be necessary.

I would urge upon those who are in charge of the matter to make up their minds that they are going to have the track in fee and go ahead on that basis.

As a starter, Thurston and Stanley hereby offer to incorporate the company, draw by-laws and all other documents necessary in connection therewith, without charge, and I personally offer to take \$100 worth of stock in the company.

LORRIN A. THURSTON.

## TENNIS MATTERS.

Impetus Given the Game by Expected Coast Players.

The regular monthly meeting of the Pacific Tennis Club was held yesterday noon at the Hawaiian Safe Deposit Company's office. After routine business was transacted a letter was read by the president from C. H. Suydan, representing the California Lawn Tennis Club, in which he suggests the bringing together of the champions of the Pacific coast and the tennis men of Honolulu.

It was the sense of the meeting to extend an invitation to the Whitney brothers, who are the present champions of the Pacific coast, to visit these islands as guests of the Pacific Tennis Club. Satisfactory arrangements have been completed at this end, and a letter to that effect will be forwarded by the Australia. It will be a great treat to the lovers of tennis if these men come to the islands with their interpretation of the good old game.

## SHIPPING INTELLIGENCE.

### ARRIVALS.

Tuesday, Sept. 29.  
O. S. S. Australia, Houdlette, from San Francisco.

Wednesday, Sept. 30.  
Stmr Kaala, Thompson, from Oahu ports.

Stmr J. A. Cummins, Searle, from Oahu ports.

Thursday, Oct. 1.  
Stmr Kilauea Hou, Thompson, from Hawaii.

Stmr Waialeale, Peterson, from Kauai ports.

Stmr Lehua, Nye, from Hawaii ports.

### DEPARTURES.

Tuesday, Sept. 29.  
Stmr Ke Au Hou, Thompson, for Punaluu.

Stmr Kauai, Bruhn, for Makaweli.  
Stmr Kinau, Clarke, for Maui and Hawaii.

P. M. S. S. City of Peking, Smith, for China and Japan.

Stmr Iwaleana, Smyth, for Lahaina, Honokaa and Kukuhae.

Stmr Mikahala, Haglund, for Kauai ports.

Stmr Claudine, Cameron, for Maui ports.

Stmr Mokoli, Hilo, for Lahaina, Molokai and Lanai.

P. M. S. S. Arctic, Brown, for San Francisco.

Wednesday, Sept. 30.  
Stmr Hawaii, Weir, for Hawaii ports.

Thursday, Oct. 1.  
Stmr Waialeale, Peterson, for Kapa.

Stmr Kaala, Thompson, for Makaweli.

Stmr J. A. Cummins, Searle, for Oahu ports.

### PASSENGERS.

#### Arrivals.

From San Francisco, per S. S. Australia, Sept. 29—Miss Edna Askerman, Miss Martha Bergi, Hon. Cecil Brown and wife, Robert Catton, wife and two children, Miss Catton, Master Catton, Miss A. Cahill, James Campbell, wife and two children, Miss Dickson, T. H. Gibson, W. M. Giffard, John Grace, E. Halstead and wife, Herman Jergens, Miss Kamalopili, L. B. Kerr, M. Marx, M. H. McNery, Mrs. Nawahi, Mrs. J. M. Rothchild, E. H. Rose, J. H. Schnack, wife and two children, Mrs. S. I. Shaw, G. Schuman, Judge H. A. Widemann and wife, N. H. Zeave and wife, and twenty-seven in steamer.

From Kauai, per stmr Waialeale, October 1—Mr. Biddell, and 4 on deck.

#### Departures.

For Maui and Hawaii, per stmr Kinau, Sept. 29—Mrs. L. T. Grant, Dr. Averdam, Rev. J. P. Lytton, A. John-

ston and wife, W. H. Coney, J. W. Hergstrom, Mrs. D. McGregor, Miss B. McGregor, Mrs. Coney, Miss Zimmers, Miss Munroe, S. H. Kane, C. E. Haynes, C. B. Ripley, Dr. Nichols, J. F. Hardy and wife, Miss May, Miss Atkins, Choy Chung, R. D. Moller, Miss Mulliger, Miss Baynard, L. Asen, Miss Clipperton, Henry Roth, W. H. Rice, Volcano—James D. Sweetzer, Mrs. Sweetzer, Miss Sweetzer, C. H. Miller, G. B. Pettigill.

For Maui, per stmr Claudine, Sept. 29—J. S. Walker and wife, H. S. Hagerup, W. H. Cornwell, Jr., Miss Birge, F. Summerfield, W. H. Wheeler, wife and child, Capt. Scott and wife, C. B. Ripley, Young Nap, Annie Poi and 40 on deck.

For Kauai, per stmr Mikahala, Sept. 29—W. H. Rice, Jr., A. M. Brown, S. M. Baldwin, H. P. Walton, Wm. Easie, C. Day, J. C. Scribner, Alice Ewart, G. R. Ewart, M. Schmidt, Jas. McLellan, A. Ewart and 55 on deck.

For Kauai, per stmr Kauai, Sept. 29—Alf. Gerner, T. H. Gibson and 2 on deck.

For Kauai, per stmr Waialeale, October 1—M. Brash and D. Conway.

### BORN.

KEVEN—In this city, September 28, 1896, to the wife of T. Keven, a daughter.

PRATT—In this city, September 27th, 1896, to the wife of Dr. J. S. Pratt, a daughter.

VON TEMPSKY—At Punaluu, Maui, September 28th, 1896, to the wife of Randolph von Tempsky, a son.

## Desirable Stocks

Splendid Opportunities for Investors. Large or small lots.

## Mining, Agricultural and Oil Stocks.

Stocks and Bonds Negotiated. Agents OLINDA RANCH CO., BAILEY OIL COMPANY. Correspondence invited.

W. H. BAILEY & SON,  
415 1/2 Montgomery St., San Francisco, Cal.

REFERENCES.—San Francisco: C. R. Bishop, Selby Smelting Works, Honolulu: W. O. Smith, T. W. Holston.

## TIME TABLE

Wilder's Steamship Company

—1896—

## S. S. Kinau,

CLARKE, Commander.

Will leave Honolulu at 10 o'clock a. m. touching at Lahaina, Maalaea Bay and Makana the same day; Mahukona, Kawaihae and Laupahoehoe the following day, arriving in Hilo the same afternoon.

### LEAVE HONOLULU.

Friday . . . . . Oct. 9  
Tuesday . . . . . Oct. 20  
\*Friday . . . . . Oct. 30  
Tuesday . . . . . Nov. 10  
Friday . . . . . Nov. 20  
\*Tuesday . . . . . Dec. 1  
Friday . . . . . Dec. 11  
Tuesday . . . . . Dec. 22

Will call at Pohoiki, Puna, on trips marked \*

Returning, will leave Hilo at 8 o'clock a. m., touching at Lapauhoehoe, Mahukona and Kawaihae same day; Makana, Maalaea Bay and Lahaina the following day, arriving at Honolulu the afternoon of Tuesdays and Fridays.

### ARRIVE HONOLULU.

Tuesday . . . . . Oct. 6  
Friday . . . . . Oct. 16  
Tuesday . . . . . Oct. 26  
Friday . . . . . Nov. 6  
Tuesday . . . . . Nov. 17  
Saturday . . . . . Nov. 28  
Tuesday . . . . . Dec. 8  
Friday . . . . . Dec. 18  
Tuesday . . . . . Dec. 29

Will call at Pohoiki, Puna, on the second trip of each month, arriving there on the morning of the day of sailing from Hilo to Honolulu.

The popular route to the volcano is via Hilo. A good carriage road the entire distance.  
Round-trip Tickets, covering all expenses, \$50.

## S. S. Claudine,

CAMERON, Commander.

Will leave Honolulu Tuesdays at 5 o'clock p. m., touching at Kahului, Hanalei, Hamoa and Kipahulu, Maui. Returning, arrives at Honolulu Sunday mornings.

Will call at Nuu, Kaupo, once each month.

No freight will be received after 4 p. m. on day of sailing.

This company reserves the right to make changes in the time of departure and arrival of its steamers WITHOUT NOTICE, and it will not be responsible for any consequences arising therefrom.

Consignees must be at the landings to receive their freight. This company will not hold itself responsible for freight after it has been landed.

Live stock received only at owner's risk.

This company will not be responsible for money or valuables of passengers unless placed in the care of purers.

Passengers are requested to purchase tickets before embarking. Those failing to do so will be subject to an additional charge of twenty-five per cent.

C. L. WIGHT, President.

S. B. ROSE, Secretary.

For Maui and Hawaii, per stmr Kinau, Sept. 29—Mrs. L. T. Grant, Dr. Averdam, Rev. J. P. Lytton, A. John-

## LIST OF LETTERS

Remaining in the General Postoffice up to Sept. 30, 1896.

Ahrens, W. Austin, C.  
Allen, C. Agassiz, G.  
Austin, E.  
Brown, C. H. Barnett, J.  
Braun, J. Blair, W.  
Bell, G. Brasch.  
Baker, G. Brown, W.  
Bellman, E. Burgett, L. A.  
Behne, C. Bussie, L. N.  
Curtis, M. L. Campbell, M.  
Cook & Son, T. Clark, J. K.  
Convers, C. H. Conan, F.  
Clark, A. Chaplain.  
Christley, F. Clark, C.  
Clark, T. Cowan, G. H.  
Dunn, W. (2) Downer, W.  
Delm, E. Doyle, D. P. (2)  
Davis, R. Davis, J. M.  
Duncan, T. (2)  
Forbes, J. (2) Fox, G.  
Foster, G.  
Gwin, C. N. (3) Green, J. H.  
Graham, H. Gage, E. L.  
Grow, F.

Hiltner, C. Hutchinson, W. K.  
Hubbush, Mr. Hill, W. D.  
Hutchinson, S. Hopkins, W. H.  
Hobson, Mr. Hamper, J.  
Hunt, H. G. Hawkins, L. E.  
Jacobson, S. John Shooting Galv.  
Joyce, F. Johnson, O. C. (2)  
Johnson, C.  
Ken, W.  
Kruan, J.  
Lobben, C. C. Lurie, A. L.  
Ludloff, Mr. Leonard, H.  
Lanning, F. Lloyd, C.  
Lundsey, C. Lee, A.  
Lake, C.

Meyer, Mr. (3) Markenzie, C. B.  
Monchouse, Mr. McDonald, F.  
Murphy, P. Meyers, H. E.  
Muller, J. W. Mills, T. W.  
Marquez, C. McManamin, D.  
Marshall, M. E. McLean, J.  
Nichols, Capt. M. Nicholas, F.  
Peters, J. Peters, H.  
Petersen, J. W. Peterson, A.  
Pirzile, J. G. (4) Patterson, A.  
Porter, G. Pearce, B. S.  
Peckard, Mr. Powers, H.  
Phillips, E.

Richardson, B. (2) Rickard, Mr. and  
Richardson, M. (2) Mrs. T.  
Sackett, C. B. Spring, T. B.  
Smith, C. B. Spalding, B.  
Smith, E. (2) Shaw, J. T.  
Spencer, Mr. Seffery.  
Schroeder, H. Schriessler, O.  
Thorp, F.

Thomas, E. B. (5)  
Wallace, C. (2)  
Webber, H. A.  
Williams, F. J.  
Wrenschild, F.  
Wade, E. C.  
Wood, H. S.  
Wagoner, T. R.  
Watson, W. D.  
Young, C.

### REGISTRY BUSINESS.

Brakenridge, N. B. Paschoor, Dr.  
Baker, Rev. E. P.

### LADIES.

Austin, M. Mrs. Alexander, E. M. Mrs.  
Andrews, Mrs.  
Barker, E. Mrs. Belle, J. R. Mrs.  
Brown, M. Mrs. Banning, L. V. Mrs.  
Clark, C. Mrs. Clark, A. Mrs. (2)  
Clark, J. Miss. Christian, Miss.

Daniel, M. Mrs.  
Gearon, Miss (3) Gates, Mrs.  
Hutchinson, W. R. Mrs. Houghtaling, J. Mrs.  
Hartbottle, D. K. Miss.  
Lidgate, A. Mrs. Levey, A. Mrs.  
Lee, P. Mrs. Lee, J. M. Mrs.  
Lewis, Miss.  
Mise, C. Mrs.

Richardson, B. Mrs.  
Swingley, M. V. Miss Spencer, N. A. Mrs.  
Shaffer, L. S. Miss Sherman, L. Mrs.  
Searles, Mrs.  
Taylor, L. K. Miss Tibbett, Mrs.  
VonGraevemeyer, W. Mrs. (3)

Welchman, W. Mrs. Ward, A. Mrs.  
Walker, J. H. Mrs. Whitney, R. S.  
Wagner, K. Mrs. Mrs. (2)  
Wallace, J. Mrs.

Parties inquiring for letters in the above list will please ask for "Advertised Letters."

JOS. M. GAT,  
Postmaster-General.  
General Postoffice, Honolulu, Sept. 30, 1896.

EXECUTORS' NOTICE TO CREDITORS.

The undersigned, executors under the will of Dr. John Mott-Smith, late of Honolulu, in the Island of Oahu, deceased, testate, hereby give notice to all persons having claims against the estate of the said decedent, to present the same duly verified with proper vouchers to the undersigned at the Law Office of Alfred S. Hartwell, over the Bank of Bishop & Co., in Merchant street, in said Honolulu, within six months from date hereof, and that claims not so presented will be forever barred. This notice has become requisite by the defective publication of the former notice.

(Signed)  
HAROLD MEADE MOTT-SMITH,  
(Signed)  
ERNEST AUGUSTUS MOTT-SMITH,  
(Signed)  
MORTON CHURCHILL MOTT-SMITH,  
Executors.

Dated Honolulu, H. I., Oct. 2, 1896.  
1798-1w

### CHAS. BREWER & CO.'S

Boston Line of Packets

The bark "AMY TURNER," W. C. Warland, Master, will sail from New York for this port on or about October 1st, 1896.

For particulars call or address  
Chas. Brewer & Co.,  
27 Kilby Street, Boston, or  
O. BREWER & CO. LTD.,  
Agents, Honolulu.

## BY AUTHORITY.

### SEALED TENDERS

Will be received at the Office of the Minister of the Interior till 12 o'clock noon of MONDAY, October 19th, 1896, for furnishing lumber and nails for the Jail Fence at Hilo.

Specifications at the Office of the Superintendent of Public Works, and also at the Office of the Sheriff of Hawaii.

The Minister does not bind himself to accept the lowest or any bid.

J. A. KING,

Minister of the Interior.  
Interior Office, Sept. 24, 1896.  
1798-3t

In accordance with Section 1 of Chapter XXXV of the Session Laws of 1888, I have this day set apart an enclosure for the impounding of estrays at Kapelepele, in the District of Makawao, Island of Maui, on a lot situated on the Northwest corner of the Pasture Land known as "Kapuhau," on the west side of the Government Road leading to Makana.

In accordance with Section 2 of Chapter XXXV of the Session Laws of 1888, I have this day appointed Samuel Kula, Poundmaster for the above Government Pound.

J. A. KING,

Minister of the Interior.  
Interior Office, Sept. 21, 1896.  
1797-3t

### PUBLIC LANDS NOTICE.

SALE OF VALUABLE LEASE AT AUCTION.

On Saturday, October 17th next, at 12 o'clock noon, at front entrance of Judiciary Building, will be sold at Public Auction, the Lease of the Government Fishponds of Kaihikapu and Lelepaia, in Moanalua, Oahu, containing 742 acres.

Term: Fifteen years.  
Upset Rental: Eight Hundred Dollars per annum, payable Quarterly in advance.

Notes of survey and plan of the above Fishponds may be seen at the Public Lands Office, Judiciary Building, Honolulu.

J. F. BROWN,  
Agent of Public Lands.  
Public Lands Office, Honolulu, Sept. 21st, 1896. 1796-1d

## SPECIAL PARTNERSHIP NOTICE

Notice is hereby given that the persons hereunder named have formed a SPECIAL PARTNERSHIP.

First: The name under which the partnership is to be conducted is

H. HACKFELD & CO.

Second: The general nature of the business intended to be transacted is the business of Importers, Sugar Factors and Commission Merchants.

The place where such business is to be transacted is in the Republic of Hawaii, with an office on the South Corner of Fort and Queen streets, in Honolulu, Oahu, in said Republic.

Third: The names and residences and the specification of general and special partners are as follows:

THE FOLLOWING ARE GENERAL PARTNERS:

Paul Isenberg, residing at Bremen, Germany.  
J. F. Hackfeld, residing at said Honolulu.

THE FOLLOWING ARE SPECIAL PARTNERS:

J. C. Glade, residing at Wiesbaden, Germany.  
J. W. Pfuger, residing at Bremen, Germany.

Prof. H. H. Pfuger, residing at Bonn, Germany.  
J. C. Pfuger, residing at Bremen, Germany.

Fourth: The period at which such partnership was begun is September 1st, 1896, and it is to continue until September 1st, 1901.

PAUL ISENBERG,  
J. F. HACKFELD,  
J. C. GLADE,  
J. W. PFLUGER,  
PROF. H. H. PFLUGER,  
J. C. PFLUGER.

Honolulu, Sept. 28th, 1896.  
1798-5w

### WATER RIGHT NOTICE.

Application having been made to me by Mrs. Kamaka Sillman, Mrs. Kuleamole and Mrs. H. K. Waialeale for adjudication of their rights in the water flowing from the eastern water-gate of Kunawai pond and running through Kauluwela auwai which may involve a redistribution of the several water rights belonging to Kauluwela, Kailu, Kamakela and Aala, on account of the confusion, existing in same, notice is hereby given that all parties interested in said water from Kunawai spring do attend and prove their rights at 10 A. M. of Saturday, October 17th, 1896, at the Judiciary Building, or they will be adjudicated without such attendance.

E. M. NAKUNA,  
Commissioner of Private Ways and Water Rights for district of Honolulu, Oahu.

Honolulu, Sept. 24, 1896.  
1799-2w

IN THE CIRCUIT COURT, FIRST Circuit of the Hawaiian Islands.—In Probate. In the matter of the Estate of Lam Pow alias Yait Sang, late of Honolulu, deceased, intestate.

The petition and accounts of the Administrators of the Estate of said deceased, wherein they ask that their accounts be examined and approved and that a final order be made of distribution of the property remaining in their hands to the persons thereto entitled, and discharging them from all further responsibility as such Administrators.

It is ordered that Monday, the 2d day of November, A. D. 1896, at ten o'clock A. M., at Chambers, in the Court House, at Honolulu, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted.

Honolulu, October 1, 1896.

By the Court:

P. D. KELLETT, JR., Clerk.

1799F-3t

IN THE CIRCUIT COURT OF THE Fifth Circuit, Hawaiian Islands.—In Probate. At Chambers. In the matter of the Estate of Kapalehua (k), late of Wailua, Kauai, deceased, intestate. Before Judge Hardy.

Order of notice of petition for allowance of final accounts and discharge in deceased estates.

On reading and filing the petition and accounts of Carl Isenberg, Administrator of the said estate, wherein he asks to be allowed \$..... and charges himself with \$..... and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all further responsibility as such Administrator.

It is ordered, that Monday, the 16th day of November, A. D. 1896, at ten o'clock A. M., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said petition and accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And notice of this order, in the Hawaiian and English languages, be published in the Kuokoa and Hawaiian Gazette, newspapers printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the date therein appointed for said hearing.

Dated at Lihue, this 25th day of September, 1896.

R. W. T. PURVIS, Clerk.

1799-3tF

IN THE CIRCUIT COURT OF THE Fourth Circuit, Hawaiian Islands. At Chambers.—In Probate. In the matter of the Estate of Edward B. Bartlett of Hilo, Hawaii, deceased, intestate.

Order of Notice of Petition for Administration.

On reading and filing the petition of Luther Severance, attorney in fact for Lucela D. Ludden, only child of said Edward B. Bartlett, alleging that Edward B. Bartlett of Hilo, Hawaii, died intestate at Hilo, Hawaii, on the 29th day of July, A. D. 1896, leaving property in the Hawaiian Islands necessary to be administered upon, and praying that Letters of Administration issue to Luther Severance.

It is ordered that Friday, the 30th day of October, A. D. 1896 at 10 o'clock a. m., be and hereby is appointed for hearing said petition in the Court Room of this Court at Hilo, Hawaii, at which time and place all persons concerned may appear and show cause, if any they have, why said petition should not be granted.

Dated Hilo, H. I., Sept. 21, A. D. 1896.

By the Court:

DANIEL PORTER, Clerk.

1797F-3ta

IN THE CIRCUIT COURT OF THE First Circuit, Hawaiian Islands. Fredericka Cook vs. Clark Matthew Cook. Libel for Divorce.

The Republic of Hawaii:

To the Marshal of the Hawaiian Islands, or his Deputy, Greeting:

You are commanded to summon Clark Matthew Cook, defendant, in case he shall file written answer within twenty days after service hereof, to be and appear before the said Circuit Court at the August term thereof, to be held at Honolulu, Island of Oahu, on Monday, the 3rd day of August next, at ten o'clock A. M., to show cause why the claim of Fredericka Cook, plaintiff, should not be awarded to her pursuant to the tenor of her annexed petition. And have you then there this writ with full return of your proceedings thereon.